CIRCULAR

It is to inform to all the concern that the “Guidelines for the setting up of Scuba Dive Centres in Inhabited Islands of Lakshadweep” has been notified w.e.f. 14th August 2020 and now applications in the prescribed format given at Annexure-I attached to this guideline are being invited from the interested and eligible applicants for the setting up of Scuba Dive Centres in the Inhabited Islands of Lakshadweep. Hence all the concerned applicants are therefore requested to submit the application as per the prescribed format for the necessary action and permission.

This is issued with the approval of Hon’ble Administrator, UTLA.

[Signature]

S.ASKER ALI. IAS
Director (Tourism), UTLA

Copy to:

1. PA to Hon’ble Administrator, UTLA for kind information.
2. PA to Advisor to Hon’ble Administrator, UTLA, for kind information.
3. PA to Secretary (Tourism), UTLA, for kind information
4. All the DC’s and SDO’s in all islands with a request to give vide publicity.
5. The PCC (DP) and the Chairpersons (VDP) in all the islands.
6. The Technical Director, NIC, UTLA with a request to upload the matter in the Lakshadweep website.
7. The Editor, Lakshadweep Times with a request to publish in the very next edition.
**GUIDELINES FOR APPROVAL FOR SETTING UP OF SCUBA DIVE CENTERS IN INHABITED ISLANDS OF U.T. OF LAKSHADWEEP.**

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Introduction

With a number of islands scattered in the Arabian Sea, Lakshadweep is primarily a water sports destination. The underwater view at Lakshadweep is kaleidoscopic and breathtaking. The pristine beauty, crystal clear water, shallow lagoon, rich marine wealth, ancient ship wrecks and a variety of corals ecosystem make Lakshadweep an ideal destination for scuba diving. Probably Lakshadweep is the best place for scuba diving in the country and has the potential to emerge as a global destination for SCUBA diving. Presently Lakshadweep Dive Academy which is under LTDC, is a five star rating organization as recognized by Professional Association for Diving Instructors (PADI) and has been providing diving courses in various islands for the last 25 years and the Union Territory is pleased to have many qualified dive instructors, dive masters and rescue divers.

Lakshadweep Administration has come up with “Dive Center Guidelines” for setting up and operation of dive centers and water sports centers in Lakshadweep by the locally qualified people and for bringing tourists by licensed dive centers and water sports centers. This will also encourage educated youths to become entrepreneurs and take up self employment opportunities.

Detailed Guidelines

1) Department of Tourism Development, U.T of Lakshadweep will invite applications from eligible registered entities for setting up of Scuba Dive Centers in inhabited islands of Lakshadweep subject to the guidelines given hereunder and such other rules, regulations, orders, notifications, terms and conditions prevailing and amended from time to time in U.T of Lakshadweep.

2) The Applicant should be a Local native of Lakshadweep or registered legal entity—proprietor/Partnership firm, Society, Company or a consortium or any other legal entity registered under competent authority of the State or Union Territory.

3) The Applicant should have Open Water Scuba Dive Instructor level professional in its board of director or such bodies.
4) The Applicant should possess land either on their own or under lease agreement for a period not less than 25 years measuring at least 400 sq.m for development of proposed Scuba Dive Center. The Applicant is free to develop the scuba dive center jointly with a promoter who has the experience in the field of scuba diving for at least five years and whose average annual turnover for last three years is more than Rs.1.00 crores. However in such cases a joint Application has to be submitted in the Format given at Annexure.I.

5) Project Proponent of Scuba Dive Center will be permitted to construct accommodation facility/dormitory for the divers/trainees in a maximum land area of 200 sq.m within the area proposed for the dive center. This is in addition to 400 sq.m as required for the dive center.

6) The Scuba Dive Center will be permitted
   (i) in densely populated areas (RDZ-I) of inhabited islands designated for tourism in Integrated Island Management Plan of respective islands.
   (ii) In sparsely populated areas (RDZ-II) as per the building norms.

7) The buildings of the Scuba dive center should not be in the No Development Zone of the island, should be away from permitted HTL limits and should comply building byelaws of Lakshadweep Administration.

8) Application for setting up of Scuba Dive Center has to pay an amount of Rs.25,000/- as registration fee at the time of submission of applications for registration. However the license for operation of the dive centre must be renewed after every two years and a license fee of Rs. 10,000/- shall be levied on the promoter.

9) Heritage Fee (Developmental fee) will be levied separately for domestic tourists (Rs. 100 per person per day) and foreign tourists (Rs.200 per person per day) who are visiting these centers for diving. The total collection will be equally distributed to the LTDC and Village (Dweep) Panchayat concerned. The amount due to Panchayat shall be transferred quarterly by LTDC and should be utilized
only for last mile development of the islands. And the fee to be levied will be updated yearly.

10) All the divers who wish to come to Lakshadweep and stay in the registered dive centers shall be allowed to book through a web based centralized system and this system shall be operated by LTDC/SPORTS and these guests shall also be assumed to be sponsored by SPORTS/LTDC to avoid complication relating to issue of permit and delays causing inconvenience to dive centers operator.

11) The Application for setting up of scuba dive center should be submitted along with detailed Project Feasibility Report containing salient features of the project, location of the land, area available, number of buildings and details of dive equipments available, dive activities/courses etc proposed. It should also contain: 1. List of Scuba Dive Center equipments available with the scuba dive center, 2. List of Standard Equipments required for divers, instructor and other diving staff with dive qualifications available with the scuba dive center.

12) All movement of men, materials and dive guests will be the responsibility of the scuba dive center operator and UTL Administration will not provide special consideration or quota for transportation. The operator will have to utilise regular channels for transportation of men, material and tourists.

**How and Where to Apply and Other Details**

13) After notification of these guidelines the Director (Tourism), U.T of Lakshadweep will invite applications from eligible legal entities and such entities will have to apply to The Director (Tourism Development), U.T of Lakshadweep, Kavaratti P.O, Pin - 682 555, with all required details.

**The Application Forms**

14) The Application forms can be downloaded from the official Tourism Department website or can be collected from The Director (Tourism Development), U.T of Lakshadweep, Kavaratti P.O, Pin - 682 555 from Deputy Collector/SDO of the concerned island.
Whom to Apply

15) The duly filled Application form with enclosures and fee of Rs. 25000/- should be submitted to The Director (Tourism Development), U.T of Lakshadweep, Kavaratti P.O, Pin 682 555.

The Application should be accompanied by:

16) Detailed Project Feasibility Report containing
   a. Salient features of the project, location of the land, area available, and facilities available.
   b. Proposed dive activities / courses.
   c. List of Standard Equipments required for divers, instructor and other diving staff with dive qualifications available with the scuba dive center.
   e. Detailed economic viability of the project, income and expenditure statement.
   f. Design of the scuba dive center and estimate for setting up of the dive center and the feasibility.
   g. Plan/arrangement for waste management, waste water treatment.
   h. NOC/Clearance from Environment Department, Lakshadweep Pollution Control Committee and Coastal Zone Management Authority of Lakshadweep and the concerned Village/Dweep Panchayat.
   i. Certified copy of documents regarding the ownership or lease agreement of the land duly registered with competent authority,
   j. The building plan certified by LPWD

17) For examination as well as verification of the project proposals as well as the proposed sites, a scrutiny committee shall be constituted with the following members:
   1. Secretary- Department of Tourism- Chairman
   2. Director, Department of Tourism - Member Secretary
   3. Director- Department of Science & Technology - Member
   4. Superintending Engineer, LPWD- Member
   5. Deputy Collector (HQ) – Member
In the absence of regular member of the committee the link officer may attend the committee meeting. The committee shall recommend for a provisional permission for setting up of scuba dive centre for those proposals complying with the terms and conditions as stated in this guideline to the Hon’ble Administrator for final approval.

18) After receipt of provisional permission, the promoters are required to construct the dive center and other structures and facilities complying with the terms and conditions and as per relevant rules and regulations in existence.

19) After completion of the construction of the dive center the promoter should submit a completion certificate and the same will be examined by a committee constituted for the purpose if the dive center is found fit for clearance, the permission for operation of the dive center and bringing the dive tourists will be issued.

20) At any given point of time 75% of the employees employed and engaged in the diving center should be local native islanders of Lakshadweep.

21) The rate of taxes if any for property, electricity and water to be paid for tourist resorts in UTL will be those prescribed by the appropriate authorities from time to time. The dive center operator is required to pay all taxes, levies, fees as applicable.

22) The dive center will be required to maintain Register of dive tourists and Complaint.

23) The dive tourists should be those who have paid required tourist fees/levies and travelled on tourist tickets and tourist permit.

24) The approved dive centers will be required to maintain Complaint/Suggestion Book in the Reception accessible to the dive tourists.

25) The Scuba Dive Centers will be required to furnish monthly returns of name and address of number of dive tourists, charges collected etc and copy of the Complaint/Suggestion book for the month. The approved dive center also create a provision for online registration of complaint /suggestion with them.
directly as well as with Director (Tourism) UTLA in the mail id ‘adtourism.lk@gmail.com’

26) The scuba dive center is required to meet the following dive requirements

i. All Scuba Dive Centres must be equipped with pure Oxygen and an Emergency Action Plan in case of diving related accidents. The Emergency Action Plan must include mechanisms for :-
   a. Searching methods in case of missing divers.
   b. Providing first aid care.
   c. Transport to the next appropriate medical facility.
   d. Reporting to appropriate authorities (Police, Coast Guard, Hospital/PHC/CHC and Directorate of Tourism).

ii. Scuba Dive Centre must have a base leader, and safety staff member, who is responsible for the Dive centre and is available at all the time.

iii. Scuba Dive centre must have medical first aid, and specified wireless communication (walkie-talkie) / or any other effective communication system to facilitate communication between base station (Dive Centre) and identified sites for diving.

iv. Scuba Dive Centers must have a list of all dive services and courses conducted by them with the rate list, prominently displayed at all dive centre premises.

Dive Equipments

27) The Scuba Dive Center should have the following well maintained dive equipments of their own.

a) Hydrostatically tested Dive cylinders.

b) Approved Buoyancy Compensators Devices (BCD’s)

c) Regulators approved for recreational diving by the manufacturer

d) Alternative Air Sources, depth and timing devices as standard equipment.

e) Other standard dive suites and equipments.

f) Dive Centre should have a minimum of Six diving sets which includes tank, regulator with pressure gauge, depth meter and dive watch or
deco- computer, mask, snorkel, fins, buoyancy compensating jacket, quick release weight belt and alternate air source.

28) The Scuba Dive Center should provide the following equipments for Diver and Instructors;
   a) Mask, snorkel and fins
   b) Regulator with submersible pressure gauge and Alternative Air Source or redundant air supply.
   c) Buoyancy Compensator Device (BCD) vest with oral and low pressure Inflator.
   d) Time and depth measuring device.
   e) The use of dive computers are highly recommended for all divers
   f) Emergency signalling device comprising inflatable surface balloon and whistle.
   g) Underwater torch and night signalling device for night diving.

Dive Boats

29) The Scuba Dive Center should have dedicated mechanized dive boats of their own with the following facilities:

   a) Boats crew of three, dedicated to the safety of the divers and support the divers
   b) Communication equipments to contact the Dive Centre at all times during the dive through a functioning walkie-talkie or hand phone and radio telephone.
   c) The Scuba Dive boats must have sufficient fuel to make the prearranged dive trips and any changes there to.
   d) In case weather conditions deteriorate while divers are under water, the crew must be proficient in recalling methods.
   e) The Scuba Dive Centre Staff is responsible for the provision of a spare tank, spare diving equipment, First Aid, Oxygen Kit, dive flag and a boat ladder that allows for comfortable exit from the water.
   f) The Dive Flag shall be clearly visible when the divers are in the water and must be lowered when the last diver has exited the water.
g) An operational Search Light must be onboard, in all night dives involving dive boats.

h) Dive boats are not permitted to anchor on reefs, corals, and dive sites. If anchoring is required for any reason, anchoring in sandy areas or using mooring buoys are permitted.

30) The Scuba Dive Centre must have on its staff at least one “Dive Instructor”, who is certified by Professional Association of Dive Instructor (PADI) or Confederation Mondale Des Activities Subaquatiques (CMAS) or any such recognized organization.

**Diver Qualification**

31) A diver must present the following documents to the dive centre:-

   i. Dive certification Card from a recognized agency that allows the person to dive without supervision.
   ii. Logbook validating open water diving experience of at least 900 minutes, excluding training dives.
   iii. Medical Certificate dated within 12 months of diving or self declaration stating that the person is fit to scuba dive.
   iv. Completed Diver registration Form at the dive Centre.
   v. An orientation dive may be required for persons who have not dived within the last 3 months. The dive centre may impose restrictions on a divers’ activities on the basis of his/her logged experience.

**Prohibited Dives**

32) Following recreational Dives are prohibited in Lakshadweep

1. Decompression dives
2. Dives deeper than 40 m
3. Dives less than 12 hours before flying (a pressurized aircraft)
4. Dives in restricted/no dive areas
Cancellation of Licence for operation of Scuba Dive Center

33) The Director of Tourism, U.T of Lakshadweep may after giving an opportunity of being heard, by an order in writing, cancel the license for operation Scuba Dive Center on any of the following grounds namely:

(a) If the Scuba Dive Centre ceases to operate for a continuous period of 12 months or ceases to operate for the purpose for which the permit is granted

(b) If the Managing Director/Partner or any such authority of the Scuba Dive Center is convicted of any offence under chapter XIV and XVI of the Indian Penal Code, 1860 or contravenes any provision of these guidelines, or of any offence punishable under any law providing for the prevention of hording, smuggling or profiteering or adulteration of foods or involvement in any cognizable offence or violation of foreign exchange Regulations or foreign contribution Regulations or the possession or sale of any narcotic drugs of (psychotropic) substances or corruption.

(c) If Managing Director/Partner or any such authority of the Scuba Dive Center is convicted of any offence under any Regulation or Rule applicable to U.T of Lakshadweep as amended from time to time.

(d) If the Scuba Dive Center has been declared insolvent by a court of competent jurisdiction and has not been discharged.

(e) If the Scuba Dive Center fails to comply with any of the provisions of this guidelines.

(f) If any complaint of malpractice is received and proved against Scuba Dive Center.

(g) If the permit is obtained by misrepresentation or fraud.

34) Dive Guests/tourists have to be accommodated in the accommodation establishments, tourist homes and resorts recognised and permitted by the Lakshadweep Administration.

35) These guidelines will form part of the agreement to be signed between the Scuba Dive Center operator and the Director (Tourism), Lakshadweep.
Jurisdiction

36) The dispute if any on operation of Scuba Dive Center will be settled at District and Session’s Court, Kavaratti and will be interpreted under Indian law.

Appeal:

37) Any Scuba Dive Center operator aggrieved by a denial of license made by the nodal department under Secretary (Tourism) under this guideline may, within 15 days from the date of order, may prefer an appeal to the Hon’ble Administrator, U T of Lakshadweep.

Procedure for Issuing Licence for operation of Scuba Dive Center

37) After notification of these guidelines, the Director, Department of Tourism, U.T of Lakshadweep will invite applications from eligible legal entities and such entities will have to apply to The Director (Tourism Development), U.T of Lakshadweep, Kavaratti P.O, Pin - 682 555 with all the required details.

38) After receiving the applications, the scrutiny committee will examine and verify the project proposals as well as the proposed sites and then the committee shall recommend for a provisional permission for setting up of the Scuba Dive Center to those proposals complying with these guidelines to the Hon’ble Administrator for final approval.

39) After receipt of provisional permission, the promoters are required to set up Scuba Dive Center and equipments complying with the terms and conditions of this guideline and as per relevant rules and regulations in existence.

40) After completion of the setting up of the Scuba Dive Center, the Applicant should submit a completion certificate with a request to commence dive operations and the same will be examined by a committee constituted for the purpose and if the Scuba Dive Center is found fit for clearance, the permission for operation of the Scuba Dive Center will be issued.
ANNEXURE-I

To

The Director (Tourism),
Department of Tourism Development,
U.T. of Lakshadweep,
Kavaratti.

Sir

In response to Notification/Circular F.No.... dated....and having read and understood all the terms and conditions mentioned in the guidelines with respect to the approval for setting up of Scuba Dive Centers in inhabited islands of U.T of Lakshadweep, we representing the entities given below hereby apply for setting up of Scuba Dive Centre in inhabited islands of U.T of Lakshadweep. Details of the Applicants are given below.

Details of Applicant

1. (a) Name:
   (b) Country of incorporation:
   (c) Address of the corporate headquarters and its branch office(s), if any, in India
   (d) Date of incorporation and or commencement of business:

2. Brief description of the Company including details of its main lines of business and proposed role and responsibilities in this Project:

3. Details of individual(s) who will serve as the point of contact, Communication for the Authority:
   (a) Name:
   (b) Designation:
   (c) Company:
   (d) Address:
   (e) Telephone Number:
   (f) E-Mail Address:
   (g) Mobile Number:
4. Particulars of the Authorised Signatory of the Applicant:
   (a) Name:
   (b) Designation:
   (c) Address:
   (d) Phone Number:
   (e) Mobile Number:

5. In case of a Joint Application the information above (1-4) should be provided for all the Applicants separately.

Signature and name of the Applicant.
# Checklist to be enclosed with documentary proof:

(to be supported with documents)

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<tr>
<th>SNo</th>
<th>Details</th>
<th>To be filled in and certified by the Project Proponent</th>
<th>Observation of the Department</th>
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<tr>
<td>1</td>
<td>Name of the applicant with address</td>
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<td>Whether a single or joint applicant</td>
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<td>Island in dive centre is proposed</td>
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<td>Location of the land with survey numbers</td>
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<td>Total land area proposed for the Dive Centre</td>
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<td>Status of the Legal Entity (Native of Lakshadweep/Society/Company/Consortium etc and Income Tax returns if applicable of the entity)</td>
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<td>7</td>
<td>Name of the Open Water Scuba Dive Instructor associated with the Dive Centre</td>
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<td>8</td>
<td>Experience of the Promoter in the field of Scuba Diving</td>
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<td>Average annual turnover of the promoter if it is a joint application &amp; IT returns of the promoter for the last 3 years</td>
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<td>Details of the registration fees paid</td>
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<td>Details of the project feasibility report to be enclosed</td>
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Signature of the Project Proponent

[Signature]