

# SAVING THE BLUE ECONOMY



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# SAVING THE BLUE ECONOMY

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# FOREWORD

As a participant of the roundtable “Saving the Blue Economy” organised in Ahmedabad on 25 May 2022, I was quite impressed with the research put forward by Centre for Civil Society (CCS) on the challenges fisherfolk in Gujarat face. Although the think tank is based in Delhi, its assessment of fisherfolk’s plight is insightful and accurate. I, along with other fisherfolk leaders, deliberated on some of these issues, met the government officials and raised these questions with them.

CCS partnered with Mazdoor Inc – a Gujarat-based organisation, for this detailed and comprehensive policy study. This study is of great importance because Gujarat’s fisheries sector has immense export potential. Reforms suggested by this study, if implemented, will bring prosperity to the sector and the community at large. The entire fishing community in South Gujarat are grateful to these organisations for taking up the cause of an uncared for and underrepresented section of society.

Karsanbhai Patel

(Former Minister, Gujarat State Government and Leader, Fishermen Community)



# INTRODUCTION

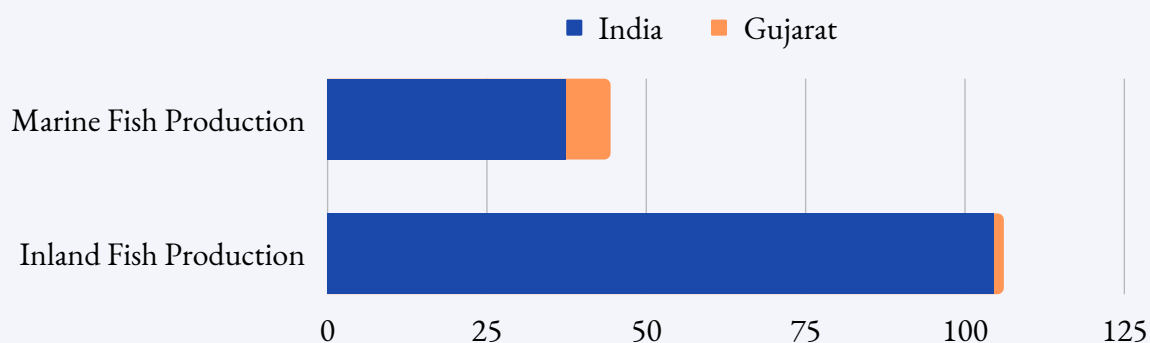
In India, the output of fish has increased at an exponential rate in the last 30 years. India is the world's second-largest producer of fisheries and the third-largest producer of aquaculture (Department of Fisheries 2022). However, this rosy image does not reflect the difficult life of fisherfolk in India. A 2021 study showed that around 47% of employees in this sector live well below the poverty line (Rajeev 2021).



# WHY WE STUDIED GUJARAT

In 2019-20, the total marine fish production was 37.27 lakh tonnes, with Gujarat contributing the most—7.01 lakh tonnes or 19% of the total production (Department of Fisheries 2022). These numbers, however, pale in comparison to the total inland fishing catch. Inland fish production was 104.37 lakh tonnes in the same period, with Gujarat contributing only 1.58 lakh tonnes. Gujarat ranks third amongst Indian states for fish production across marine and inland fishing. This brief looks at Gujarat and studies its fisheries sector to understand the issues that plague fisherfolk.

Figure 1: Fish Production in India and Gujarat for 2019-20 (in lakh tonnes)



During the off-season, when fishing more or less ceases, there is no other source of employment for most of the respondents, including several big fisherfolk who are otherwise considered to be better off than others in this business.

# ISSUES

01

## Industrial effluents killing the fish

In 2022, the Keem river in Surat was so polluted that it killed off innumerable fish (Janta Yojana 2022). These deaths also happened in the Sabarmati river in 2019 (Times of India 2019), in Vapi in 2011 (Times of India 2011), and in Valsad in 2010 (Times of India, 2010). Almost all fisherfolk, khalasis, and vendors have complained about industrial effluents. Effluents get released in water bodies and find their way to the Exclusive Economic Zone off the coast of Gujarat. Since most towns of the district lie on the coast, the ramifications are severe. These include the depletion of oxygen that leaves the fish gasping for air, and as a result, the fish die prematurely. Excess iron in the form of industrial effluents in the pond water causes a red layer to appear on the water's surface. As a result, food and oxygen in the water are scarce, leading to the depletion of fish and the deterioration of water quality.

Industrial effluents pollute and contaminate the water bodies fisherfolk work in, thus destroying marine life. Moreover, fisherfolk have also suggested that the authorities are frequently unable to identify the culprit of pollution. This inability hurts their ability to take punitive action against the polluters, meaning industries face little risk if they violate pollution norms.

02

## Registration has stopped

The fisheries department has stopped issuing new licences<sup>1</sup>. The department justified this because no new berths were available to harbour the boats. But it is not clear why no new berths or harbours have been created or why no auctioning system for expired harbours has been instituted.

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1. This notification was not available on the fisheries website. We found this out based on our interviews with fisherfolk and boatmakers. This was also reconfirmed during our roundtable with government officials. The Commissioner acknowledged that no new licences have been issued for a few years, but was unaware for how long this has been the case.

# ISSUES

03

## Restrictions on net sizes hurt small fisherfolk

The Gujarat Fisheries Act, 2003 mandates that the size for square mesh cod should be 40mm. This requirement is applicable to all fisherfolk. However, *pagadia* fishermen that use non-mechanised boats often cannot survive if they comply with this regulation. It is impossible to catch prawns or other small fish with a 40mm net. Some fish found on the coast of Kutch never even grow beyond 40mm in their lifespan. Mandatory legal provisions like these have restricted the freedom of small and traditional fishermen to fish using traditional techniques.

04

## Displacement and State Interoperability

The Maharashtra Marine Fishing Regulation Act, 1981 authorises boats and fishers from Maharashtra to contract people all along the coast of India to work in business clusters all along the Maharashtrian end of the Konkan coast. Thus, the entities — boats, individuals or insurance companies — could easily engage those involved in the fisheries of Gujarat. Many fisherfolk from Gujarat left their families behind to go and work. Some fisherfolk from Gujarat registered their boats in Maharashtra because of better fishing conditions. During the pandemic, these fisherfolk wanted to come back to Gujarat. However, in September of 2020, the Gujarat government amended the state act to prohibit the entry of any non-Gujarati boats into Gujarat's economic and political territory to expand business activities or employ the locally engaged populace. If a vessel is registered in Maharashtra, entering Gujarat's waters could earn you a one lakh fine.

They are now facing issues in changing the registration to Gujarat. This is because the transfer of licences from one state to another is not a streamlined process. Some have managed to get a one-year temporary licence to fish in Gujarat, but this adds a high degree of uncertainty to their livelihood.



# ISSUES

05

## Licensing in addition to registration is unnecessary

Fishing vessels need to be licensed every three years. The licensing officer is a fishery officer, not below the rank of Superintendent of Fisheries (Department of Fisheries 2003). The licensing officer checks for insurance of boats and fisherfolk and compliance with safety norms such as life jackets, fire extinguishers, and radio communications. Licensing fees vary based on the size of the boat ranging from 15,000 INR for large mechanised boats to 200 INR for small boats (Department of Fisheries 2003).

A separate section exists for the registration of fishing vessels. The registration certificate details the port or fisheries harbour from which the owner of the vessel is to operate his vessel. The registration officer is notified by the state government. A separate registration fee is required. This fee ranges from 370 INR to 10,000 INR depending on the size of the boat and is valid for five years (Department of Fisheries 2003).

It is unclear why two separate approvals, under two separate officials, with two separate validity periods are required. It would both reduce the bureaucratic load and the paperwork for fishermen were bundled into one single function.

All states in India use this two-part licensing plus registration model. However, some countries, like Malaysia, manage to regulate the industry with a single licence. The applicant is expected to apply for a licence before the construction of the boat, but this single window process with equal validity for both factors is far simpler than the dual requirement, with different validities required in Gujarat.

In boat registration, there is a disparity in the knowledge of the bigger and smaller fisherfolk. The bigger fisherfolk are aware of the importance and to some level, the legal connotation behind getting the registration done. Some have had their boats duly registered while others have been waiting for updates on their statuses. However, for the smaller fisherfolk, due to the inconsistency of fees and inadequacy of income, the fisherfolk generally do not go ahead with acquiring licensing for their boats. Most are unaware of the legal statuses of their boats while some of them have even claimed that their boats have been passed onto them successively from a couple of generations before.

# RECOMMENDATIONS

01

Gujarat Pollution Control Board should take a more active role in enforcing restrictions and quality standards on industrial effluents.

02

Net size restrictions that hurt small fisherfolk should be reconsidered to allow these fisherfolk to more easily earn a livelihood.

03

Boat registration should be reopened.

04

A single combined licensing and registration system for boats to simplify the process for fisherfolk.

# ANNEXURE 1

## METHODOLOGY

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First, we looked at the most recently updated version of the Gujarat Fisheries Act, 2003 and the rules under the Act- Gujarat Fisheries Rules, 2003, as published by the Gujarat fisheries department. This gave us clarity on how the sector is regulated on paper and assessed potential issues and problems with the laws. This De Jure analysis was augmented with 34 on the ground interviews with Fisherfolk, Vendors, Boat Makers and Government officials. This survey provided insight into the gaps in the law, how the law actually functioned, and the issues facing fisherfolk in the state. The De Facto survey brought to light several inconsistencies with how the law is implemented and highlighted many issues that need to be addressed. This information was further augmented based on a roundtable discussion we hosted with fisherfolk, government officials, boatmakers and civil society representatives.

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