



सत्यमेव जयते

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

## PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations  
made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 6<sup>th</sup> October, 2020 is hereby published for general information.

**K. M. LALA,**  
Secretary to the Government of Gujarat,  
Legislative and Parliamentary Affairs Department.

### GUJARAT ACT NO. 10 OF 2020.

(First published, after having received the assent of the Governor, in the "*Gujarat Government Gazette*", on the 7<sup>th</sup> October, 2020).

### AN ACT

further to amend the Gujarat Fisheries Act, 2003.

It is hereby enacted in the Seventy-first Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Fisheries (Amendment) Act, 2020. **Short title and commencement.**

(2) It shall be deemed to have come into force on the 22<sup>nd</sup> June, 2020.

**Amendment  
of section 2  
of Guj. 8 of  
2003.**

**2.** In the Gujarat Fisheries Act, 2003 (hereinafter referred to as “the principal Act”), in section 2, -

**Guj. 8 of  
2003.**

- (i) to clause (a), the following proviso shall be added, namely:-  
“Provided that the District Magistrate shall be the Adjudicating Officer for the purpose of clause (c) of sub-section (1) of section 17;”;
- (ii) after clause (b), the following clause shall be inserted, namely:-  
“(bb) “crossing of notional Indo-Pak International Maritime Boundary Line” means an act of fishing vessel entering any area in the “No Fishing Zone” as notified by the Ministry of Home Affairs on 4<sup>th</sup> May, 1993 which is situated within the territorial waters;”;
- (iii) for clause (c), the following clause and the proviso thereunder shall be substituted, namely:-  
“(c) "Enforcement Officer" means such fishery officer or any Police Sub-Inspector or above, posted in the Marine Police Station as notified by the State Government under clause (s) of section 2 of the Code of Criminal Procedure, 1973 as the State Government may appoint for the purpose of section 15:

**2 of 1974.**

Provided that the Sub-Divisional Magistrate of the concerned area shall be the Enforcement Officer for the purpose of clause (f) of sub-section (1) of section 21.”.

**Amendment  
of section 6  
of Guj. 8 of  
2003.**

**3.** In the principal Act, in section 6, in the marginal note, after the words “to protect fish”, the words “and to ensure internal security” shall be added.

**Amendment  
of section 15  
of Guj. 8 of  
2003.**

**4.** In the principal Act, in section 15, -

- (i) in clause (iii), the word “and” appearing at the end shall be deleted;
- (ii) in clause (iv), the words “and in other cases, to the Police officer in charge of a police station” shall be deleted;

(iii) after clause (iv), the following clauses shall be added, namely:-

- “(v) use such force for taking any action under clause (i) as may reasonably be necessary,
- (vi) where any vessel or other things are seized by the Enforcement Officer, the same may reasonably be necessary,
- (vii) provide to the seized vessel, the docking facility by the port notified for the purpose and charges towards docking, maintenance and other related costs of the seized vessel in the manner as may be prescribed, and
- (viii) produce the seized vessel or other things before a magistrate competent to try an offence under this Act as soon as possible and the magistrate may make such order therefor as he may deem fit.”.

5. In the principal Act, in section 17, in sub-section (1),-

- (1) in clause (a), the word “or” appearing at the end shall be deleted;
- (2) in clause (b), for the words “such permission” appearing at the end, the words “such permission, or” shall be substituted;
- (3) after clause (b), the following clause shall be inserted, namely:-

“(c) the Sub-Divisional Magistrate under clause (f) of sub-section (1) of section 21 imposing fine on the person entering the territorial water.”.

6. In the principal Act, in section 21, in sub-section (1), after clause (e), the following clause shall be added, namely:-

“(f) Whoever enters the territorial waters with the fishing vessel from outside the territorial waters of the State for the purpose of fishing or for any other allied purpose in contravention of any provision of this Act shall be punishable by the Sub-Divisional Magistrate of the concerned area with fine of rupees one lakh and five times the value of the fish captured by such person.”.

**Amendment  
of section 17  
of Guj. 8 of  
2003.**

**Amendment  
of section 21  
of Guj. 8 of  
2003.**

**Amendment  
of section 23  
of Guj. 8 of  
2003.**

7. In the principal Act, in section 23, for sub-section (1), the following sub-section shall be substituted, namely:-

“(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence other than the offence punishable under clause (b), (c), (d) or (f) of sub-section (1) of section 21 shall be cognizable.”. **2 of 1974.**

**Repeal  
and  
saving.**

8. (1) The Gujarat Fisheries (Amendment) Ordinance, 2020 is hereby repealed. **Guj. Ord. 4  
of 2020.**

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

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