



# DAKSHINBANGA MATSYAJIBI FORUM (DMF)

Trade Union Regn. No.20474/92. Affiliated to National Fishworkers' Forum (NFF)

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June 24, 2019

**Sri Sagar Mehra,  
Joint Secretary,  
Department of Fisheries,  
Ministry of Agriculture and Farmers' Welfare.  
Government of India.  
Krishi Bhawan, Room No. 228.  
New Delhi – 110001.**

Sub: Submission of Comments on the draft National Mariculture Policy 2019

Sir,

With reference to the communication resting with your D.O. No. 21035/03/2107 FY(IND) Dt. 14.06.2019 on the subject noted above, Dakshinbanga Matsyajibi Forum (DMF) hereby submits its comments on the draft National Mariculture Policy 2019.

With regards,

Yours Sincerely,

Pradip Chatterjee,  
President,  
DMF.

## **Comments of Dakshinbanga Matsyajibi Forum (DMF) on the Draft National Policy (Revised) on Mariculture, 2019**

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### **Comment:1**

It is regrettable that both the first draft National Policy on Mariculture issued on September 19, 2018 and the second (revised) draft National Policy on Mariculture issued on June 14, 2019 have been published in English. The coastal fishing communities are the largest primary stakeholders of our marine waters and fish resources. The fishing communities, in general, cannot read or write English. **The draft National Policy on Mariculture should have been published and communicated to the coastal fishing (and other) communities in their regional languages for their opinion. It is a gross dereliction of responsibility on the part of the government.**

**We request immediate translation of the draft NMP in all regional languages and extension of date of submission of comments on it.**

### **Comment:2 [1.Preamble; 2. Vision; 3 Mission; 6. Objectives]**

The preamble, vision and mission state the need and scope of increasing sea food production in a sustainable manner to enhance additional livelihood to coastal fishermen and socio-economic upliftment of all stakeholders with contribution to food and nutritional security of the country.

Nowhere in the preamble, is vision or mission there is any mention regarding the state of the natural resource base (marine and adjoining waters) on which mariculture is being proposed or which the NMP is going to enhance (food and non-food resources).

It is common knowledge that our coastal waters are suffering from heavy pollution load and it is one of the main causes of degradation of natural fish stock in near shore waters. Mariculture, promised to be sustainable, is going to add to this pollution load and thus further degrade the state of marine waters.

**The preamble, vision, mission or objectives should have stated in unambiguous terms that the proposed mariculture initiatives shall in no way further degrade the quality of marine and adjoining waters.** Coastal prawn aquaculture farms are already contributing to the coastal water pollution in a massive way.

### **Comment:3 [1.Preamble; 2. Vision; 3 Mission; 6. Objectives]**

The whole idea of mariculture rests on the scheme that certain areas of marine waters or waters connected with or adjacent to coastal waters will be earmarked and cordoned off by cage, pen or the like to be stocked with larger number of fish or other living organisms (of food or non-food nature) alongwith required feed, medicine and other inputs to get enhanced production. This means that the areas thus utilised will produce not only more commercial products of food or non-food nature, but also generate

more pollution due to the excreta and other discards from the organisms as well as from the feed and medicines administered. This will further degrade the quality of marine or coastal waters and affect natural fish resources. We have experienced this in the shrimp pen culture undertaken in Chilika lake.

**It is alarming to note that no mechanism has been indicated in the policy to assess, monitor, regulate and contain pollution from mariculture.**

**There should be stringent condition that the pollution level in or adjacent to mariculture cages and/or pens will not be allowed to exceed the ambient level.**

#### **Comment:4 [1.Preamble; 2. Vision; 3 Mission; 6. Objectives]**

Further, it is quite evident from the proposed scheme that not only the fishing communities but also entrepreneurs will be encouraged to take up mariculture. Thus it is quite natural that, mariculture being a capital intensive enterprise, investors will eventually takeover. Even the fishers' cooperatives may handover the mariculture projects to entrepreneurs and investors for financial security. This process is quite evident from the coastal prawn aquaculture projects and is being increasingly evident from the freshwater aquaculture projects elsewhere.

**It should be stated in unambiguous terms that only the fishing communities living in the area and/or associated with the concerned water area earmarked for mariculture will get ownership of the same through their cooperatives or such producer collectives and in no way any title, right or income will be shared with entrepreneurs from outside the community.**

#### **Comment:5 [7. Mariculture Area Development]**

Two very important provisions are missing from the policy on 'Mariculture Area Development' –

1. Need to have '**Informed Consent**' of the fishing communities of both the area in which the mariculture is going to be undertaken as well as of the areas likely to be affected by mariculture.

The **onus of providing information** regarding the scale and means of operation including the benefits and beneficiaries, as well as the **likely impacts of mariculture on natural fish resources** to the fishing communities and their organisations as well as **taking their consent** will be with the government authorities that sanction the mariculture project

2. Need to provide the local fishing communities with a **provision of review from time to time** of the impacts of mariculture on natural fish resources and their livelihood based on those resources. If found to be detrimental, the mariculture project will have to be scrapped.

### **Comment:6 [8. Leasing Policy]**

We have noted with concern that the clause under 8.2 of the earlier draft that read “8.2 *The guiding principles in developing mariculture activities in open access water bodies would be **public trust responsibility** where, care would be taken to prevent conflicts among other users such as fishers and navigational users; ensure limits to biological production based on carrying capacity; integrate principles of sustainability to mariculture by limiting impacts on the environment and society; **promote conservation of marine habitats** and protection of rights of those carrying out mariculture.*” has been replaced by the present draft that read “8.2 *In developing mariculture activities, the policy will take into account, the interest of all stakeholders as well as principles of responsible fishing, ensure limits to biological production based on carrying capacity and environmental sustainability*”.

Omission of **public trust responsibility** as a guiding principle and **promotion of conservation of marine habitats** in the present draft is conspicuous. Actually these principles preclude the mariculture leasing policy proposed in the instant draft.

We are constrained to remind that the “**Public Trust Doctrine**” has been made part of the law of the country by the direction of the Hon’ble Supreme Court of India. The Supreme Court in the case M.C. Mehta v Kamal Nath and others stated that the **Public Trust Doctrine** primarily rests on the principle that certain resources like air, sea, waters and forests have such great importance to the people as a whole that it would be unjustified to make them a subject of private ownership. The court observed that: The **Public Trust Doctrine** is a part of the law of the land.

In view of the above, **any policy that proposes to privatise (lease out) the coastal or adjacent open waters is unlawful.**

We are against leasing of water commons or open water bodies used by the fishing or fish farmer communities. Livelihood of the people cannot be put on auction.

We are also constrained to mention that the omission of **promotion of conservation of marine habitats** as a principle in the instant draft was obvious since **commercial mariculture in no way promotes such conservation** and on the contrary degrades it. This omission is an indicator of the bottom-line of mariculture as well as of the limits to the terms like ‘sustainable’, ‘responsible fishing’, ‘CCRF’ etc. used to characterise the proposed policy.

### **Comment:7 [10. Precautionary Approach to Environmental Sustainability]**

Admittedly mariculture is almost totally a new venture in the Indian marine waters. It has been stated that guidelines will be put in place to have adequate precautionary measures. But for a new venture putting in place of the guidelines is not sufficient, the guidelines themselves have to be tested in practice. Also, the precautionary approach calls for going small in scale of implementation. As such,

1. No mariculture activity should be undertaken without the guidelines;
2. All mariculture activities should start at small scale level at least for 5 years, in which period both the impacts of the venture and the efficacy of the guidelines are to be assessed;
3. Upgrading the scale of operation should be considered only on the basis of results of assessment.

## **Concluding Comments:**

In spite of the statements mentioned in the NPM regarding sustainability, precautionary approach and enhancement of livelihood and capacity of the small scale fishing communities, it is quite evident from the draft National Mariculture Policy that –

1. The instant policy intends to go for mariculture in a big way;
2. The policy projects mariculture as the only way to meet sea food demand and a big additional livelihood option for the fishing communities;
3. It does not assess the likely impacts mariculture is going to have on natural fish stock or fish habitats;
4. It intends to open mariculture to all entrepreneurs and large areas of the marine and adjacent waters are to be leased out for the purpose, thus promoting privatisation of marine and adjacent waters;
5. Being a capital intensive enterprise, the ownership of the venture and the profits from the same are going to be concentrated in the hands of the entrepreneurs and investors;
6. It will enhance socio-economic inequity in the coastal communities.
7. If coastal prawn aquaculture is any indicator – the lack of monitoring mechanism and weak or non-existent governance will result in runaway pollution of marine water as well as disaster to indigenous species;

In view of the above we request the Department of Fisheries in the Ministry of Agriculture and Farmers' Welfare of the Government of India to scrap the present draft national mariculture policy and go for wider consultation with fishing communities and concerned environmentalists to draw up a really eco-friendly and pro-fishing community national policy on mariculture.



**President,  
Dakshinbanga Matsyajibi Forum (DMF)**