



## NATIONAL PLATFORM FOR SMALL SCALE FISHWORKERS (INLAND)

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May 07, 2020

**Shri Ajay Kumar Bhalla, IAS.**  
Secretary,  
Ministry of Home Affairs,  
Government of India.

Sub: Intervention requested regarding migrant fish workers' return to home states.

Respected Sir,

We would like to draw your urgent attention to the matter of migrant workers in the fishing sector. These workers comprise of both workers on fishing boats and in allied fishing sectors, many of whom are still stranded on boats and in/around fishing harbours since the announcement of the lockdown on the 24<sup>th</sup> of March, 2020.

Updated guidelines on movement of stranded persons were issued under Ministry of Home Affairs **Order No. 40-3/2020-DM-I (A) dt. 29.04.2020**. According to this order, the movement of migrant workers, pilgrims, tourists, students and other persons who had been stranded because of the lockdown were to be allowed to return to their home states.

Further to the above order, under Ministry of Home Affairs **D.O. No. 40-3/2020-DM-1(A) dt. 03.05.2020** you clarified to the States/UTs that – “ the MHA orders are meant to facilitate movement of such stranded persons, who had moved from their native places/workplaces, just before the lockdown period, but could not return to their native places / workplaces on account of restrictions placed on movement of persons and vehicles as part of lockdown measures. The facilitation envisaged in the aforesaid orders is meant for such distressed persons, but does not extend to such categories of persons, who are otherwise residing normally at places, other than the native places for purposes of work etc., and who wish to visit their native places in normal course.”

We would like to bring to your kind notice that the above clarification fails to do justice to the migrant workers in general and the migrant fish workers in particular.

- A. Suffice it to mention that no worker can reside normally in the abnormal situation of lockdown. For migrant workers the situation is more distressful because they, under lockdown, are forced to live away from their home and family and are not allowed to visit them in 'normal course'. The MHA has failed to be sensitive to the situation of millions of migrant workers of the country and this may give rise to a lot of confusion in implementation of the guidelines.



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- B. The migrant fishworkers of the country are, without exception, under tremendous distress –
1. India's mechanised fishing sector, particularly of the West Coast, operate primarily with migrant workers. These workers are employed on fishing boats and in allied fishing activities on land, and undertake seasonal migration from their native states to coastal states for a period of 8 to 9 months per year. Since the lockdown was announced on the 24th of March, 2020, workers in the sector have been facing immense hardships such as lack of adequate living conditions, denial of food and water, non-payment of wages etc. Herded in some of the boats, without adequate food and water, denied of medical facilities, many of them fell sick and a few workers even died. This has happened in spite of the directives in the matter of the upkeep of migrant workers issued by the Supreme Court of India and the guidelines issued under Ministry of Fisheries, Animal Husbandry and Dairying Memo No. 12035/01/2015-Fy(WU) dt. 28.03.2020. The boat owners have not paid wages to the fish workers employed on their boats during the lockdown in spite of the clear directions issued under Ministry of Labour and Employment D.O.No.MM-11011/08/2020-Media dt. 20.03.2020.
  2. As per the Order No. 30035/15/97-Fy- (T-1) Vol V issued by the Ministry of Fisheries, Animal Husbandry and Dairying, a uniform ban on fishing has been imposed on the East and West coasts of India. While the East coast ban has commenced on 15.04.2020 and is due to run until 14.06.2020, the West coast ban is due to commence on 01.06.2020 and run until 31.07.2020. As such the fishing ban period is going to be either coupled with the lockdown period (in the East Coast) or start immediately after it (in the West Coast). This would result in prolonged period of jobless and wage less days for the fish workers working on larger fishing boats.

Given all the above observations, there is a need for an intervention from the Ministry of Home Affairs in order to facilitate the movement of migrant workers from the fishing industry. Some of these steps involve:

- A. Providing necessary clarification from the MHA with regards to the **Order No. 40-3/2020-DM-1(A)** issued on 03.05.2020 so that all migrant fish workers are allowed to move to their homes and their movement to native states is facilitated by authorities;
- B. There is currently no census or registration of migrant workers in the fishing sector. As such, the only way to undertake the return of the workers is through communication with various workers' unions and collectives, fisheries cooperatives and boat owners' associations. The MHA must coordinate with the Department of Fisheries to issue an Order requesting State/UT Fisheries Departments to liaise with the aforementioned organisations in order to collate the information needed to move workers. With 62 fishing harbours, 181 landing centres and a total of 2,69,047 fishing boats around the coasts of the country, it is nearly impossible for all workers' needs to be addressed without a coordinated plan;



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- C. In the interim period, until such time that arrangements can be made to facilitate the movement of workers, directions must be issued to boat owners associations and cooperative societies as follows:
- An immediate consultation must be undertaken with all workers in their employment, including daily-waged, non-contracted and allied workers, to listen to the demands of the workers regarding their upkeep and return to their home;
  - Until such time that the consultation is complete, and that workers' voices have been heard, they should not be coerced to returning to sea to undertake fishing activities. Similarly, wages, food, water, medical attention and adequate housing in view of distancing norms must be provided;
  - All consultations regarding return home must be free of coercion such as withholding workers' wages for next year or threatening them with the loss of employment;

We look forward to your attention and action in the matter.

Thanking you,

With best regards,

**Pradip Chatterjee,**

Convener, NPSSFW(I)

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