

FOREWORD

In our country inland fisheries sector is almost double of its marine counterpart in both amount of fish produced and number of people employed. Yet while the government adopted a National Policy on Marine Fisheries way back in 2004, which has been recently revised, there has been none for the inland sector.

The small and traditional fishers, fish farmers and fish vendors, who constitute the bulk of workers dependent on the inland fisheries sector, are the largest primary non-consumptive stakeholders of our water bodies and their natural custodians. Small scale fishers and fish farmers always and everywhere stand for protection of water bodies from pollution and encroachment for the simple reason – Good Fish Needs Good Water.

With a total production of fish amounting to about 6.6 million metric tonne, inland fisheries play a very important role in the food security and nutritional status of our country.

It is better late than never that the Department of Fisheries in the Ministry of Agriculture and Farmers' Welfare of Government of India has woken up to the long standing need for a national policy on inland fisheries and an expert committee has been constituted to prepare a draft for the same.

The National Platform for Small Scale Fish Workers (Inland), constituted last year as a united forum for inland fish workers, had raised the demand for a National Policy from its very inception. This year the platform has been able to come out with a comprehensive position paper on the National Policy for Inland Fisheries through a rigorous exercise of study and discussions among fishing community representatives and activists from 9 states of the country.

We urge upon the policy makers and experts engaged in preparation of the National Policy for Inland Fisheries to make the national policy adequately sensitive to the concerns of the small scale fishing communities and sufficiently useful in providing policy directions for the protection and enhancement of both livelihood of small scale fish workers and its natural resource base. We are eager to help the process achieve success and are putting forward our submission for the same. We would appreciate a discussion with the expert committee in the matter.

We believe that participatory process of developing policy position builds up both understanding and capacity of inland fishing communities and their organisations across the country.

SAVE WATER, SAVE FISH, SAVE FISHER PEOPLE

Dated Kolkata
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– Pradip Chatterjee,
Convener,
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Submission on National Policy Requirements for Inland Fisheries

Introduction:

India is gifted with vast and varied inland water bodies bearing rich fish resources. Rivers and canals, reservoirs, ponds and tanks, oxbow lakes, wetlands, backwaters and estuaries yield 6.14 million tonnes of fish which is more than 64% of total fish production of the country. The sector **sustains about 4 million fish workers** and a total population of around 2 crores. Thus inland fisheries has significant contributions towards food security, nutritional status and employment in our society.

Still the **potential of inland fishery resources is far from utilised**. Less than 10% of the country's natural potential is used for **freshwater aquaculture and for brackish water aquaculture** the area under cultivation is just above 13% of the potential area available. In the case of flood plain wetlands and reservoirs the present fish production can be increased several times.

These huge resources are **under severe stress**. Rivers are poisoned with heavy pollution load. Diversion of water from rivers is harming their ecological flow. Wetlands, lakes and ponds are being encroached and filled up by industries and real estates. Poor watershed management in catchment areas is cutting down the sources of water for rivers, lakes and wetlands. Natural storm water drainage is intervened by construction of roads, railway tracks and real estate, thus subjecting large number of ponds to intermittent overflow. Run off from chemical agriculture is destroying the fish resources of wetlands and paddy fields.

The first victims are the small fishers and fish farmers whose livelihood is inseparably linked with the quality of the water bodies. These small fishers and fish farmers are by far **the largest primary stakeholders and natural custodians of our water bodies**. Losing their livelihood they are being turned into development refugees and have to migrate to other occupations and areas in search of a living.

Most ironically thousands of these small fisher people, who have been struggling to protect their livelihood and the water bodies, are being driven out of the aquatic areas falling within protected areas like wild life sanctuaries and reserves.

Utilisation of vast potentials of inland fisheries as well as the protection of the inland water bodies needs to address issues like river, watershed and water body management together with the rights and entitlements of the small fishers and fish farmers to sustainably use and protect the fish resources and their habitats. **The issues and the ways and means to address them cut across the state boundaries and are truly national in nature.**

The **National Policy on Inland Fisheries** needs to provide –

1. An assessment of the potentialities for inland fisheries and a road map for utilisation of the potentialities with proper guidelines;
2. Guidelines for the rights and entitlements of the small fishing and fish farmer

communities to protect, augment and sustainably use the fish resources in all inland water bodies;

3. Guidelines for protection of water bodies and their catchment areas;
4. Guidelines for recognition and incorporation of fisheries and mandatory participation of small scale fishing communities in all development planning that affect water bodies and watershed management.

Basic Policy Directions:

The basic concerns of the National Policy for Inland Fisheries should be –

- I. Sustainable development:** Protection, maintenance and promotion of fisheries should be in consonance with the ecological principles and aim at building up on ecological services of water and water bodies.
- II. Socio-economic upliftment of fish workers:** This should be the chief concern of the national policy. Ample caution should be exercised against replacement or pushing out of fishers and fish workers traditionally engaged in work in fishing by new class of entrepreneurs from outside of the sector and against usurpation of government assistance by the latter.
- III. Principle of subsidiarity:** Small scale and poor fish workers constitute the bulk of the work force engaged in fisheries. Their wellbeing is inseparably linked with the wellbeing of the fisheries sector. The National Policy should ensure that protection, support and assistance programmes, services and schemes should start from bottom topwards, whereas the regulations and penalties for non-compliance should start from top downwards. This means that the assistance programmes, services and schemes for fisheries should be provided for the smaller and poorer fishers by preference, and conversely the regulations and penalties for non-compliance should be harsher for the larger and richer players in the sector.
- IV. Participatory Governance:** Governance issues in fisheries involve water policy, policy for protection and upkeep of water bodies including rivers, canals, reservoirs, lakes, wetlands and ponds as well as that for watershed management. The small scale fishers are by far the largest primary and non-consumptive stakeholders of our surface water resources. More importantly, they are the natural custodians of our water bodies as good fish needs good water. As such the small scale fishing communities and their representatives should be provided with mandatory participation right in determining water, water body and watershed management policies and their implementation.
- V. Inter-generational equity:** Natural resource bases have to be preserved not only for the present generation but also for future ones. As such resource preservation with continued inter-generational involvement of fishing communities in fisheries should be made one of the chief concerns of the national policy.
- VI. Gender justice:** Women fish workers constitute more than half of the total workforce in fisheries. In fisheries sector women workers are more

marginalised than their male counterparts and are in less favourable condition to address their problems. This calls for gender sensitive policies in resource allocation and access.

VII. Precautionary approach: Fisheries being largely based on natural resource and ecological service, utmost caution has to be exercised in introduction of new social groups, technologies, species, feed etc. in its domain. This requires strict adherence to the precautionary principle which calls for abstention from doing anything whose impact is not fully or sufficiently known.

Overarching Concerns:

The following policy concerns encompass the inland fisheries sector as a whole.

Allocation of freshwater resources:

To secure allocation of freshwater resources for non-consumptive use, especially for sustainable and responsible inland fisheries to benefit the life and livelihood interests of poor and marginalized fishers and fishworkers, including women, it is pertinent to uphold the principle of equitable and reasonable allocation of water between and within consumptive and non-consumptive use of water in the wetlands and watercourses guaranteeing the unimpaired continuation of ecological services including fisheries provided by those water bodies.

Conservation of resources with recognition of livelihood rights:

While promoting conservation and sustainable use of inland fisheries resources, there should be sufficient recognition of livelihood rights of fishers, including their tenure rights to land and water, and the importance of participatory management regimes, such as co-management.

Coherence with National Water Policy:

A national inland fisheries policy will be able to meet its objectives in a better manner if it is made coherent with the 2012 National Water Policy which seeks a common integrated perspective across local, regional, state and national contexts and the need for managing water as a common pool community resource for achieving food security, livelihood support and sustainable and equitable development.

Coherence with NPMF & International Covenants regarding Human Rights

Approach:

The national inland fisheries policy should be made coherent with the 2017 National Policy on Marine Fisheries (NPMF) as well, which recognizes a human rights-based approach in the context of food security and poverty eradication. Human rights, according to the Protection of Human Rights Act, 1993, include the rights relating to life, liberty, equality and dignity of the individual as guaranteed by the Indian Constitution or embodied in the International Covenants and enforceable by the Courts in India. Human rights-based approach helps in protecting livelihood opportunities and in assisting inland fishing communities to stem large-scale, distress migration from their midst to other parts of the country. It can also improve the visibility of women in fisheries. A human-rights approach can transform welfare measures from being acts of charity to a matter of right, such as the right to sustainable development, the right to education, housing and health, rights of women, etc.

Incorporation of inter-state and trans-border concerns:

To make national inland fisheries policy more comprehensive, it is important that the policy also deals with fisheries in inter-state rivers and shared watercourses and watersheds between India and its neighbouring countries.

Providing broader scope to address problems:

Broadening the scope of the national inland fisheries policy would further include seeking views on all aspects of governance, including the importance of addressing corruption, recognizing the principle of prior, informed consent of fishing communities, and ensuring participation of fishing communities in decision making processes.

Specific Concerns:

Investment driven productivity enhancement that edge out small fishers and fish farmers and replace them with entrepreneurs from outside the sector, or, sustainable production with protection and augmentation of livelihood of small fishers and fish farmers – the inland fisheries sector is witnessing a policy contradiction. Quite evidently small scale traditional fishers and fish farmers are losing ground, and with it pressure is building up against sustainability in fisheries.

In this backdrop the specific concerns (Rights & Entitlements) of different categories of workers engaged in fisheries are being put up for consideration and inclusion in the National Policy for Inland Fisheries –

General Rights:

A. Government I-Card:

1. Each and every fish worker, including fishers, fish farmers and fish vendors and irrespective of caste, creed, gender and religion, should be given government identity card as recognition of their occupational dignity, rights and entitlements. Utmost caution should be taken not to issue Fish Worker I-Cards to non-fishers.

B. Right to be informed about and access Government Schemes:

1. There should be public notice regarding Government schemes for fish workers and absolute transparency with procedural regularity in selection of beneficiaries and disbursement of benefits.

C. Right to Social Security & Livelihood Support:

Small scale fish workers should have comprehensive social security cover that includes –

1. Housing for all fish workers,
2. Food security cover;
3. Life and health insurance cover;
4. Insurance cover for boats and nets, fish farming and vehicles employed for fish vending;
5. Old age and infirm pension;
6. Livelihood support during lean season and / or fishing ban period;
7. Educational assistance for children.

Women Fish Workers' Rights:

- A. The government should have a gender policy in inland fisheries which would be based on gender segregated data on women fish workers' contribution to the work in fisheries.
- B. Right to have women fish worker specific schemes and allotments –
 1. To make good for the relative exclusion of women fish workers;
 2. To access financial, business and technological support;
- C. Preferential right of women fish workers to access –
 1. Social security schemes meant for fish workers that include housing, life and health cover, old and infirm pension, widow pension, educational support for children;
 2. Welfare and benefit schemes meant for fish workers;
 3. Organise and run women fish workers' cooperatives, production groups, SHGs;
- D. Special development measures in sectors dominated by women fish workers like fish vending, canoe based fishing, crab and mussel collection etc.
- E. Provide for basic amenities like toilet, resting place and creche for women fish workers at fish markets, fish depots and places where women fish workers gather for work.

Capture Fisheries [River, Lake, Wetland etc.]

A. Tenure Rights:

Small scale fishers should have the right

1. To fish in all water bodies like rivers, lakes, wetlands, reservoirs including in water bodies under protected areas.
2. To give informed consent to any conservation measure, as a mandatory pre-condition for its implementation, that fringes upon the small scale fishers right to fish and be provided with adequate compensation with rehabilitation and the right for participation in the management and implementation of the conservation measure.
3. To habitat including homestead land.

B. Governance Rights:

Fisheries, including protection and enhancement of stock of fish, should be made integral part of management policy for water bodies like rivers, lakes, wetlands, reservoirs as well as of the policy for river, wetland, reservoir, other water bodies and watershed management. Fish stock assessment and replenishment in water bodies should be undertaken regularly by the government in consultation with the fishers.

Small scale fishers should have the right to –

1. Protect water and fish in water bodies like rivers, canals, lakes, wetlands, reservoirs;
2. Participate in and determine river, wetland, reservoir, other water bodies and watershed (catchment and drainage) management including use of the available water resources;

3. Control and stop all activities that impact fisheries including destructive fishing practices, pollution and encroachment.

C. Right to Economic Empowerment & Finance:

1. Small scale fishers should be encouraged and provided with incentives to form and run Cooperatives, Fish Production Groups, SHGs etc. organisations for economic self-empowerment. The terms and conditions for their formation and running should be made easy and transparent. The scope for interventions and favouritism by political parties and other external interest groups should be precluded.
2. Small scale fishers should be protected from exploitation by usurers / money lenders and micro-finance companies and should enjoy priority in government finance including bank linking and bank loans (Kisan Credit facilities are to be extended to small fishers).

D. Right to Infrastructure:

Small scale fishers should enjoy the right to have infrastructure support that includes –

1. Jetties / constructed landing stages for landing the catch;
2. Light, drinking water, resting place and toilet at the landing centre;
3. Roads and means of transport to and from the landing centres.
4. Cold storage, fish drying and processing facilities, small ice factories.

E. Right to Technology and Information:

1. Due importance and respect should be given to document traditional knowledge and expertise in capture fisheries with their appropriate utilisation;
2. Small scale fishers should be provided with technology, information, training and assistance regarding development of boats, nets, maintenance of cold chain, weather, tides, release of water from reservoirs and market;
3. Small scale fishers should also be provided with technology, information, training and assistance to enhance value addition through procedures like crab fattening and rearing of wild fish as well as manufacturing of different value added products like fish pickles, papads etc. with market access.

Culture Fisheries [Ponds, Reservoirs, Cage etc.]

A. Tenure Rights:

Small scale fish farmers should have the right to

1. Security of tenure (protection against eviction) in water bodies taken on lease;
2. Regulation of terms and conditions of lease including fixation and increment of lease rent;
3. Get farming rights in Government owned water bodies on preferential basis (over non-fish farmer investors) and easy terms (lease rent should be fixed

on the basis of present yield and not on the basis of standard yield) with at least 5 years moratorium on increase of lease rent.

4. Fish farming in reservoirs or government water bodies should belong to local traditional fish farmers, no business group or entrepreneurs should be given right to fish farming.

B. Governance Rights:

Small scale fish farmers should have the right –

1. To protect water and fish in ponds, reservoirs etc.;
2. To participate in and determine watershed management (catchment and drainage);
3. To participate in and determine use of the water resources in the water bodies (irrigation, industrial use, navigation, water sports etc.);
4. To control all activities that impact fisheries including pollution and encroachment.
5. To stop all kinds of fish farming, including brackish water intensive and semi-intensive prawn aqua-culture, that harms the environment and ecology.

C. Right to Economic Empowerment & Finance:

1. Small scale fish farmers should be encouraged and provided with incentives to form and run organisations for economic self-empowerment like Cooperatives, Fish Production Groups, SHG. The terms and conditions for their formation and running should be made easy and transparent. Condition of having individual titles on water bodies for cooperative membership should be scrapped. The scope for interventions and favouritism by political parties and other external interest groups should be precluded.
2. Small scale fishers should be protected from exploitation by usurers / money lenders and micro-finance companies and should enjoy priority in government finance including bank linking and bank loans (Kisan Credit facilities are to be extended to small fishers and implemented);

D. Right to Technology, Quality Inputs and Information:

1. Small scale fish farmers should be provided with technology, information, training and assistance regarding up gradation of pond preparation techniques, hatchery and quality seeds and fingerlings, farming techniques, quality feed and market;
2. Small scale fish farmers should be provided with surveillance against and protection from low quality and harmful feed and medicines;
3. Small scale fish farmers should be assisted with knowledge, technique and access in choice and rearing of cultivable species that may bring good return to the farmers.
4. Small scale fish farmers should be provided with technology, information, training and assistance to diversify into gainful enterprises like ornamental fish breeding and rearing.

E. Right to determine techniques and species for culture:

1. Extreme caution should be adopted in introduction of techniques like cage and pen culture and these should never be introduced without the informed consent of local traditional fishers and fish farmers;
2. Cage and pen culture should not be taken up if it hinders fishing community's access to water bodies and fish resources;
3. In no case exotic species and non-community entrepreneurs should be introduced in cage and/or pen culture;

Fish Vendors

A. Tenure Rights:

1. No fish vendor may be evicted from any designated or undesignated market place without his or her consent and adequate rehabilitation;
2. In the event of reconstruction and / or development of fish markets all small fish vendors selling fish in that market will have to be accommodated and this should be made an indispensable condition for sanctioning the plan of the market.

B. Governance Rights:

1. Small fish vendors should have the right of participation in the management of fish depots and fish retailing markets;
2. Small fish vendors should also have the right of participation in the management of collection and transportation of fish from the fish depots.

C. Right to Economic Empowerment and Finance:

1. Small fish vendors should be encouraged and provided with incentives to form and run organisations for economic self-empowerment like Cooperatives, Fish Production Groups, SHG. The terms and conditions for their formation and running should be made easy and transparent. The scope for interventions and favouritism by political parties and other external interest groups should be precluded.
2. Small fish vendors should be protected from usurers / money lenders and should enjoy priority in government finance including bank linking and bank loans (Kisan Credit facilities are to be extended to small fishers and implemented);

D. Right to Infrastructure:

1. Small fish vendors should be provided with transport facilities (individual, collective or public) to and from fish depots and retail markets.
2. Fish depots and retail markets should have basic amenities like drinking water, toilet and resting place; they should have proper approach roads;
3. Markets should have built up platforms, adequate storage and selling space with cleaning facilities;

