



Submission of
National Platform for Small Scale Fish Workers
on
Draft ‘National Fisheries Policy 2020’

Regarding the procedure of publication of the Draft National Fisheries Policy and invitation of stakeholders’ comments:

We at the National Platform for Small Scale Fish Workers noticed in the first week of May that “Draft National Fisheries Policy 2020” had been uploaded on the National Fisheries Development Board (NFDB) website inviting comments from stakeholders. It was **highly unusual and irregular** to upload draft of the highest national policy document regarding fisheries and invite comments on the same on NFDB website since, by the Rules of Business of the Government of India 1961 as amended on June 14, 2019¹, not NFDB, but the Department of Fisheries in the Ministry of Fisheries, Animal Husbandry and Dairying has the authority for preparation of the ‘Draft National Fisheries Policy 2020’, for invitation of comments on it and finalising it for adoption on consideration of the comments submitted.²

This may also be noted that unlike in earlier occasions, the uploaded Draft National Fisheries Policy (NFP) **did not carry any notice signed by any competent officer as to where the stakeholders were supposed to submit their comments and by which date.**

While we **appreciate the need to have an integrated and comprehensive policy document** for the large and diverse fisheries sector of the country, we are constrained to put up following observations –

- A. **The process should and could have been completed long back.** The process of adoption of National Policy for fisheries of the country has been dragging for about 5 to 6 years. First, the ‘National Policy on Marine Fisheries 2017’ was finally notified in April 2017 after two years of interactions from 2015. Then the ‘Draft National Inland Fisheries and Aquaculture Policy’ was published for comments in February 2019 after two years of interactions from 2017 and is yet to be finalised. The ‘Draft National Mariculture Policy’ was published for comments in September 2018 and is also yet to be finalised. Now we are given to understand that the Department of Fisheries in the Ministry of Fisheries, Animal Husbandry and Dairying has prepared a fresh integrated draft on ‘National Fisheries Policy (NFP)’. Going for an integrated National Fisheries Policy from the very beginning could not only save so much expense incurred in terms of time, money and energy, but also could present the fisheries sector of the country with required policy guidelines much earlier.

¹ On creation of the new Ministry of Fisheries, Animal Husbandry and Dairying, the Government of India, by Gazette Notification of 17. 6. 2019 amended the Government of India (Allocation of Business) Rules, 1961 and assigned the Department of Fisheries under the new ministry with the business of ‘Promotion and development of fishing and fisheries (inland, marine and beyond territorial waters) and its associated activities including infrastructure development, marketing, exports and institutional arrangements etc.’

² It has been noticed that the Department of Fisheries, Govt. of India has since uploaded the Draft NFP 2020 in its website with a notice of February 6, 2020 that has been dated. It is stated that “Draft National Fisheries Policy (NFP) is being revised, work under progress. The feedback from stakeholders will be invited.”



- B. The instant **Draft National Fisheries Policy (NFP)** is a new policy document for the following reasons –
- i. It has substantially altered the National Policy for Marine Fisheries 2017;
 - ii. It has substantially altered the Draft National Inland Fisheries and Aquaculture Policy and the Draft National Mariculture Policy circulated earlier for stakeholders' comments; and
 - iii. Stakeholders' comments on the Draft NFP have been invited afresh.

In view of the above it is reasonably justified to treat the instant **Draft National Fisheries Policy (NFP)** as a **new policy document and take due procedure for its finalisation.**

- C. The Department of Fisheries of the Government of India **cannot discharge its responsibility** regarding informing the stakeholders of the new draft NFP and collect their opinions on the same **only by uploading an English version of the draft NFP** on NFDB website. **The common fish workers, who are by far the largest stakeholders in fisheries, can neither read English, nor can they access internet.** Thus for them this is tantamount to **denial of right** to know about and comment on a national policy concerning themselves. It is a violation of the Mission Statement of the draft NFP that solemnly declares the wellbeing of 'especially artisanal and small-scale fishers and fish farmers through appropriate strategies and partnerships in a participatory manner' to be its mission. For the concerned Government authorities who engineered this procedure, it is **dereliction of duty** to the nation.
- D. **National level fish workers' organisations and fisheries experts should be represented** in the draft finalising process and should be provided with the suggested additions/alterations of the draft NFP gathered through public/stakeholder comments or consultations.
- E. In view of the Covid-19 pandemic and the restrictions imposed on movements and gatherings to contain the same, it is not possible to hold interactions or consultations among fishing communities who are the great majority of primary stakeholders in the proposed NFP. As such **the process of collection of comments as well as finalisation and adoption of the National Fisheries Policy should be deferred** till restoration of normal public life.
- F. It may be noted that our comments at 'C' and 'E' above are in consonance with the recent observations and directions of the Honourable High Court of Delhi made regarding Draft EIA Notification 2020.

NPSSFW demands –

- i. **Translation of the draft NFP in all regional languages and circulation of the same** to the primary stakeholders through fish workers' organisations and state fisheries departments for comments;
- ii. **Holding stakeholder** (including fishers, fish farmers, fish vendors and allied workers) **consultations** at state and regional levels;
- iii. **Participation of Representatives of national fish workers' organisations and fisheries experts** in the National Fisheries Policy finalisation committee with **access to all the comments and suggestions** submitted on the draft.



A Critical Assessment of the Draft National Fisheries Policy:

Overall Comment:

A. Non-Recognition of the Right of Fishers and Fish Farmers on Water Bodies and Fish Resources:

The Draft National Fisheries Policy (NFP) proclaims that “especially traditional and small-scale fisheries are at the core of the Policy”. Yet it is completely silent about the inalienable right of small scale fishers and fish farmers to access and sustainably use water bodies and fish resources for livelihood as well as to protect those resources.

The small scale fish workers are by far the largest primary non-consumptive primary stake holders of our water bodies and fish resources as well as their natural custodians. Good fish needs good water. Failing to recognise and provide the rights of the small scale fish workers on water bodies and fish resources exposes the small scale fish workers to eviction from their livelihoods and habitats. So called development schemes and projects cannot protect the fishing communities who do not have any right to their basic livelihood resources. Millions of small scale fishers and fish farmers are being evicted from the coasts, rivers, wetlands, reservoirs and ponds due to activities and processes that encroach upon and/or degrade their livelihood resources.

We strongly propose that the NFP recognise **the inalienable right of small scale fishers and fish farmers to access and sustainably use water bodies and fish resources for livelihood as well as the right to protect those resources and direct enactment of suitable statutory instruments towards the same.**

Comments by Sections:

B. Introduction:

The ‘National Policy for Marine Fisheries (NPMF) 2017’ indicated at the outset that it rested upon seven pillars namely - sustainable development, socio-economic upliftment of fishers, principle of subsidiarity, partnership, inter-generational equity, gender justice and precautionary approach. Conspicuously, in the introductory section ‘gender justice’ has been replaced by ‘gender mainstreaming’ and the ‘principle of subsidiarity’ and ‘precautionary approach’ are altogether absent.

Suffice it to mention that there is a lot of difference between gender mainstreaming and gender justice. The former means bringing gender issues in the mainstream of fisheries management, the latter means ensuring gender equality and equity. As such **NPSSFW suggests that a better and proper replacement would have been ‘mainstreaming gender justice’.**

‘**Principle of subsidiarity**’ has been an accepted principle of fisheries management. Involving both area and scale subsidiarity the principle means that decisions which can be taken locally or regionally should not be taken centrally (area subsidiarity) and



the scopes and facilities available for smaller players in fisheries should not be available for larger ones (scale subsidiarity).

‘Precautionary approach’ has been another well accepted and practiced principle of fisheries management. The principle of precautionary approach enables decision-makers to adopt precautionary measures when scientific evidence about an environmental or human health hazard is uncertain and the stakes are high. Emerging in 1970s this principle has since been enshrined in many international documents on environmental, health and fisheries management. Fisheries management comes across introduction of new fishing and fish farming techniques and inputs including exotic species. As such no comprehensive policy guideline on fisheries management can do away with this.

In view of the above NPSSFW **strongly suggests inclusion of both ‘Principle of subsidiarity’ and ‘Precautionary approach’ as guiding principles of NFP.**

C. Background-Fisheries Sector in India:

The section on background of fisheries sector in India has highlighted commercialisation of fisheries with growth in aquaculture including export driven growth of brackish water aquaculture. But it has failed to note three very important developments –

- i. The sorry state of inland capture fisheries;
- ii. The stark imbalance between the small scale and mechanised capture fishing in marine fisheries; and
- iii. The highly unsustainable state of brackish water prawn aquaculture with its devastating impact on coastal land and waters.

The policy does not indicate the main problems faced by small scale fish workers in different fisheries sectors – Riverine, Marine, Aquaculture, Fish Vending etc and how to address those problems. Though it states “especially traditional and small-scale fisheries are at the core of the Policy”.

Due to pollution, encroachments and water allocation for consumptive purposes the natural water bodies including coastal waters, rivers, canals, lakes and wetlands are rapidly losing their ecological services together with the fish resources they harbour. There is an exodus of small scale fishers from both their occupation and habitats because there is less and less fish in the natural inland and inshore open waters.

Due to the Government policy or lack of it in marine capture fisheries the mechanised fishing sector has attained an ugly preponderance over the small scale sector. From less than 15% in 1960, mechanised sector today accounts for more than 80% of the total marine catch. With this shift the marine capture fisheries is suffering from over fishing in near shore areas, destructive fishing by trawlers that take 56% of the total catch as well as by other aggressive fishing devices like purse-seines, fish finders etc., together with a phenomenal increase of inequity in income distribution. In last ten



years at least 60% of the marine small scale fishers have migrated to other occupations and/or areas in search of livelihood.

Due to the environmental and fisheries miss-governance our coastal areas are suffering from devastating impacts of wildly spreading highly unsustainable intensive shrimp aquaculture. The rosy picture depicted for coastal or brackish water shrimp aquaculture in terms of production and export earnings cannot cover up the destruction of thousands of acres of ecologically invaluable coastal mudflats and mangroves, or pollution of coastal land and waters that is turning them barren for agriculture or fish resources.

The projection of ‘mariculture’ as sustainable alternative livelihood for small scale marine fishers is not tenable. Mariculture is capital intensive and does not at all hold the capacity to be a viable livelihood alternative to millions of small scale marine fishers. Moreover, if practiced en masse, it will add to the environmental problems we are experiencing in near shore waters and will have detrimental effects on natural fish stocks. **Small scale marine fishers do not need any alternative livelihood. They need to get back their fisheries. Limiting and controlling mechanised fishing and providing the small scale fishers with preferential access to marine fish resources is the need of the day.**

D. Fisheries Management Structure in India:

National Fisheries Policy cannot and should not absolve the Central Government of their responsibilities in inland fisheries management by simply stating that ‘... inland fisheries are fully managed by State Governments’. Cooperative federalism call for the cooperation of Central Government in at least four areas related to inland fisheries and aquaculture management –

- i. Adoption and implementation of national policy for inland fisheries and aquaculture;
- ii. Production, import, export and supply of produce and inputs that has interstate or international implications;
- iii. Management of fisheries in trans-border rivers, river basins, wetlands etc.
- iv. Management of fisheries in inter-state rivers, river basins, wetlands, watershed, catchment and drainage areas etc.

As such the Centre has to attend to its responsibilities with reference to the above issues pertaining to inland fisheries management.

E. Constraints in the growth of Fisheries Sector:

The main problem with this section is that while it has enlisted a host of constraints, it has not indicated which of them are basic or chief impediments and what interrelations exist among the constraints, so that a policy emerges on strategy to address those constraints especially to protect and promote traditional and small-scale fisheries which are claimed to be at the core of the draft NFP.



The draft NFP mentions ‘prevalence of traditional fishing practices’ as a major constraint to fisheries development, **it completely ignores the compatibility of traditional fishing practices with the upkeep of natural fish resources achieved through ages of traditional practice and associated traditional knowledge.** This has been an asset and not a liability of our marine fishing. The need is to build up on this asset and look forward for improved traditional fishing practices. An example of which had been created by widespread motorisation of traditional manual fishing boats and catamarans in the 1980s. The draft NFP takes no notice of the host of international guidelines on fisheries management that refer so positively to traditional fishing practices and knowledge.

F. Rationale for National Fisheries Policy:

It is stated that “The Policy intends to strengthen the government initiative to double fishers and fish farmers’ incomes and double exports for improving the lives and livelihoods of Fishers and their families. The NFP will encompass elements of the ‘Blue Growth Initiative’, the Agriculture Export Policy 2018 and also the targets set under the Sustainable Development Goals for which India is committed.”

Securing the livelihood of small scale fishing communities, doubling their income and also doubling the exports ***cannot go together in the present setting of fisheries sector*** dominated by mechanised marine fishing and industrial aquaculture. Similarly the ‘Sustainable Development Goals’, ‘Agricultural Export Policy 2018’ and ‘Blue Growth Initiative’ ***cannot go together without making a departure from*** the unsustainable, extractive, profit and export oriented growth model pursued presently.

One has to choose between investment driven commercial exploitation of natural resources resulting in spectacular unsustainable growth in production and trade with accumulation of wealth for a few and sustainable production with conservation of natural resources compatible with protection and promotion of livelihood of small fishers and fish farmers that ensures equitable distribution of income.

It is evident that the rationale of Draft NFP is going to spell further disaster for the small scale fishing communities.

It is further stated that “It (the NFP) will be reviewed in consultation with stakeholders to ensure that the policy remains relevant and is in sync with changing needs and requirements of the sector through an institutional mechanism”. It may be noted that **there have been no consultation with the fish workers or their organisations in the preparation of present draft NFP. Also, the policy stops short of suggesting what sort of institutional mechanism it prefers for review of the NFP.**

It is said that *morning shows the day.*



G. Objectives:

The Draft NFP has enlisted 11 clauses under ‘Objectives’, but none of these 11 clauses mention recognition of the rights of small scale fishers and fish farmers to access and sustainably use water and fish resources as well as their right to protect those resources. It is very clear from the objectives of Draft NFP that the policy document intends to present the fishers and fish farmers with many schemes and assistances, but is **reluctant to empower them with any right over water or fish resources.**

The objectives of the Draft NFP are conspicuous in their exclusion of a large number of fish workers in the category of small scale fish vendors alongwith other ancillary workers from institutional credit and other facilities.

Policy Interventions

Marine Sector

H. Fisheries Management

It is claimed by the Draft NFP that traditional and small-scale fisheries are at its core. But it has not mentioned the main problem faced by the traditional and small-scale marine fishers, let alone suggesting appropriate policy framework to address the problem.

While about 87% of the total marine catch comes from near shore areas (0 to 100 metres depth), about 80% of the total marine catch is taken away by the mechanized fishing boats. The fish resources of near shore areas are fully or over exploited. All around the coast the small fishers are shouting that there is no fish for them. There has been heavy migration out from the traditional small scale fishing sector. But, the total marine catch per year has not been decreasing. It is the starkly inequitable harvesting or loot by the mechanised fishing boats that is responsible for the misery of the small scale fishers. Mechanised fishing by trawlers, purse seiners and large gill netters has unleashed a regime of over fishing and destructive fishing.

1. Match fishing effort to available sustainable yield:

- a) Fishing effort should match **sustainable yield**. This should be **estimated and enforced area wise taking into consideration the specific number, nature and area of operation of fishing crafts. Measures should be taken to first reduce the number of mechanised fishing boats applying the principle of scale subsidiarity.**
- b) In view of the full or over exploitation of fish resources in near shore areas the following measures should be considered –
 - i. **Moratorium on registration of new mechanised boats;**
 - ii. **Immediate stoppage of government subsidy, loan etc. for new mechanised boats;**
 - iii. **For small fishing boats restricting new registration to owner operators.**



2. Provide preferential access to marine fish resources to small fishers [follow principle of scale subsidiarity].

Smaller fishers are to have the first right to catch, larger ones are to get the rest. This may be enforced through following measures –

- a) **Extend exclusive fishing zone for small fishers at least upto territorial waters [12 nautical miles] and further depending upon area wise assessment.**
- b) **4 months fishing ban on mechanised fishing, 3 months fishing ban on motorised fishing with livelihood compensation, no ban on manual fishing.**
- c) **Introduce quota of catch for mechanised fishing sector providing for the requirement of the small fishing sector.**

3. Ban destructive fishing:

- i. **Introduce total ban on destructive fishing methods like bottom trawling and purse seining.**
- ii. **Stop fishing with fish finders and/or LED lights** that make fishing very aggressive and indiscriminately destroy the natural fish stock.

4. Regulation should start from the top and promotion from bottom:

Since the larger the effort the bigger is the impact, regulations to control and restrict fishing should start from the top. This means the regulations and punishment for their violations should be, respectively, more stringent and severe on larger fishing boats and less on smaller fishing boats. Conversely the smaller fishers should get more promotional assistance than the larger ones because of their sustainable nature of fishing, capacity to generate more employment and more equitable distribution of income.

- **A wrong notion regarding marine fisheries that may derail the NFP –**

The Draft NFP states at 9(iv) “Marine capture fishing is a **risky occupation** and also **causes reduction of natural resources**. Center in consultation with maritime States/UTs will promote suitable conservation measures like ranching, temporary ban periods, and will also promote suitable ‘at sea’ and ‘on shore’ alternative livelihood activities in order to enable fishers/fish workers to gradually shift to safer and secure economic activities including mariculture.”

Not ‘marine capture fishing’ but marine mechanised capture fishing is responsible for reduction of natural resources. The three main attributes of small scale fisheries are that it is more traditional (developed through compatibility with nature), more sustainable (having less ecological footprint) and more equitable (having less income differential). Putting small scale fisheries and mechanised fisheries in the same bracket with reference to depletion of marine natural fish resources robs the NFP of its basic direction.

Also, marine fishing has been pursued by the human race right from the hunter-gatherer phase of civilisation. For the fishing communities it is a way of life, more than mere



livelihood. It is too naive to cite the risks involved in marine fishing to justify need for alternatives. The need is for adequate safety measures.

- **Regarding Fishing Communities' Right in Marine Protected Areas –**

Marine and coastal protected areas like Sundarban, Bhitarkanika, Gahirmatha, Gulf of Munnar and Malban have been a grave problem for the livelihood of small scale fishing communities. Introduced without consultation with or consent of local fishing communities these protected areas imposed heavy restrictions on traditional livelihood practices of the fishing communities coupled with harassments, penalties, arrests and even killings. The National Policy for Marine Fisheries 2017 stated **“the Government will also undertake review and periodic evaluation of the existing marine protected areas (MPAs) and for providing legislative support to ensure that tenure rights of the traditional fishermen are secured and their livelihoods not impacted by such conservation measures.”** The instant Draft NFP should incorporate this policy statement alongwith “mandatory informed consent of the affected fishing and other communities before establishment of new marine protected areas and community participation in the management of MPAs”.

I. Mariculture

Mariculture has been projected as a panacea for marine fisheries, a magic wand to solve the problems of both production stagnation in marine fisheries and impoverishment of the fishing communities bringing in immense prosperity through production and export boom.

- **Address Mariculture Pollution:** 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. The policy statement on mariculture should have announced 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.
- **Preclude Takeover by Entrepreneurs:** Further, it is quite evident from the proposed policy that not the fishing communities but also entrepreneurs will be encouraged to take up mariculture (The statement ‘priority will be given to local groups/dwellers’ is indicative of it). 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 discernible 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 access to 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.

- **Informed Consent of and Review by Fishing Communities should be Mandatory:** Mariculture areas, being mostly part of the marine waters or connected water bodies, are generally used by local fishing communities. In this regard two very important provisions are missing from the policy regarding identifying or earmarking 'mariculture zones' –
 - i. 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.
 - ii. The onus of providing information to the fishing communities and their organisations regarding the scale and means of operation including the benefits and beneficiaries, as well as the likely impacts of mariculture on natural fish resources and also the responsibility of taking their informed consent will rest with the government authorities that sanction the mariculture project.
 - iii. There is 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.
- **Leasing out common property resources is unlawful:** By proposing to lease out marine stretches the instant National Fisheries Policy violates the '**Public Trust Doctrine**'. 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 also observed that: **The Public Trust Doctrine is a part of the law of the land.**

Inland Fisheries

J. Riverine Fisheries:

- **State of Riverine Fisheries and its main problems overlooked:** The Draft National Fisheries Policy (NFP) has failed to indicate that Riverine Fisheries possess a great resource base with the country's major and minor rivers along with their tributaries, minor streams, creeks and all other microlotic systems having an estimated combined length of 45000 km. These along with the numerous man-made canals have a combined length of 0.17 million km. The riverine water resources of India harbour the original germplasm of one of the richest and diversified fish fauna of the world, comprising 930 fish species belonging to 326 genera, out of 25,000 total fish species recorded world-wide. Yet the condition of Riverine Fisheries is worst. The fishing villages along the great river basins of the country are getting deserted. Riverine



fishers are leaving their native places in search of livelihood. The Draft NFP has failed to clearly indicate that this great resource is under tremendous stress due to -

- i. Pollution;
- ii. Encroachments;
- iii. Excessive consumptive use of water

Government policy for excessive consumptive use of rivers and their waters by allocation of river waters to industries, agriculture and municipalities; allowing industries, municipalities and agriculture to pollute river waters; having heavy river traffic by establishing National Waterways in 110 rivers of the country; and also of allowing increasing encroachments on river basins with massive interventions on catchment and drainage areas are directly responsible for this. **The Draft NFP should have demanded a reversal of the present Government policy regarding rivers, river water allocation and riverine fisheries.**

It is a matter of despair and serious policy failure that the **National Water Policy 2012** does not have any mention of fish resources or fisheries as an important ecological service of our river system. **The Draft NFP should have mentioned this.**

- **No Mention of Rights of Riverine Fishing Communities:** The riverine fishing communities are the largest primary non-consumptive stakeholders and natural custodians of riverine water and fish resources. Yet they have no right to protect and sustainably use these resources. Their role is cardinal in restoration and protection of riverine fisheries. The Draft NFP has miserably failed to mention that **restoration and protection of riverine ecosystem and fish resources need empowerment of the riverine fishing communities with rights over these resources.**
- **No Mention of River Basin and Watershed Management with participation of Fishing Communities:** River and riverine fisheries management is integrated with river basin and watershed management. The river systems are constituted of catchment and drainage areas that maintain chains of wetlands, oxbow lakes, tanks and ponds. As such the **Draft NFP should have mentioned management of river basin and watershed with the participation of fishing communities.**

K. Reservoir Fisheries:

Reservoirs provide us with about 35, 24,724 Ha of water area. This huge water resource has been created by human efforts mainly by building dams across rivers or streams. Every reservoir has a number of fishing communities nearby who had been fishing in the rivers or streams before installation of reservoirs or have taken to fisheries after their farmlands were submerged by the reservoir.

- **Main Issues of Reservoir Fisheries Ignored by Draft NFP:** The main issues in Reservoir Fisheries are –
 - i. **Change in species composition** induced by sudden change in the character from lotic to lentic. The Mahaseer, state fish of Madhya Pradesh, has been endangered by the change in water character by construction of Dams on river



- Narmada. The Draft NFP should have called for **careful conservation of fish species by construction of fish bypasses.**
- ii. **Regular assessment of water quality and fish stock** with measures for **pollution control and stock replenishment.**
 - iii. **Recognition of the Rights of Fishing Communities on Reservoir Fisheries.** Fishing communities, in general, do not have any formally recognised right to fish in the reservoir waters or to look after its protection. Even if they are permitted to fish, in many areas they have to deliver all their catch to a contractor who takes the reservoir on lease. The Draft NFP should have proposed **the right of fishing communities and their community based organisations to fish in the reservoirs, protect their waters and sell their catch without the intervention of the contractors.**
 - iv. **Space for Fishing Communities in Management of Reservoir and Reservoir Fisheries:** The Draft NFP has no space for local fishers in the management of reservoirs and reservoir fisheries. It has to be controlled exclusively by fisheries department for scientific management. This is totally wrong notion of management. Local fisher people must enjoy primacy in management of Reservoir fisheries.
 - v. **General Projection of Cage Culture is Incorrect:** Cage culture is a capital intensive proposition and detrimental to open water fisheries in rivers and reservoirs. As such it cannot be accessed by all fisher people and larger number of fishers, who fish in the open waters, will suffer from the pollution and other impacts of cage culture. As all capital intensive enterprises, cage culture also has a tendency to be taken over by people who can invest. **The primary and general need is not of cage culture but development of river and reservoir fisheries as a whole with regular fish seed replenishment, control of pollution and maintenance of adequate flow.**

L. Wetlands:

Wetlands are very important fish habitats and hundreds of thousands of fishers, fish vendors and other ancillary fish workers earn their livelihood from the wetland fisheries. The section in the Draft NFP dealing with this important resource has a few damaging weaknesses –

- i. The Draft NFP states “Ecological integrity of important natural wetlands has to be conserved and restored for promotion of sustainable fisheries in these water bodies”. **Why only important natural wetlands are to be conserved?** The ecological and hydrological system constituted together by large and small wetlands cannot be protected only by conserving ‘important wetlands’. Also, what about the fate of thousands of fishers who fish in lesser wetlands like oxbow lakes, beels and baors?
- ii. The Draft NFP does not recognise **any right of the fishing communities on the wetlands**, either for sustainable use or for protection of the resources. Fishing communities of Chilika, Loktak, Dal or Ular are all suffering from the lack of these rights.



- iii. The Draft NFP does not propose **any space for the fishing communities in the management of wetlands.**
- iv. The Draft NFP proposes that states or UTs may declare certain wetlands as 'fish reserves', but **does not mention the need to take informed consent of fishers dependent on such wetlands.**

M. Cold Water Fisheries:

Cold water fisheries are facing big problems from tourism and hydroelectric projects. Because cold water fisheries are related to water bodies in the hills, they are fond targets of tourism and hydel power. Rivers of hill areas like Himachal, Uttarakhand, North Bengal and Assam as well as great lakes like Loktak, Dal and Ular are suffering from this. The fisheries in the Dal have been largely decimated. Loktak and Ular fisheries are fighting against tremendous odds.

The Draft NFP should have policy direction to ensure tenure rights and rights to conserve and protect water bodies and fish resources for local fisher people in cold water fisheries.

N. Recreational Fisheries:

The Draft NFP states "Appropriate sustainable models of recreational fisheries and ecotourism enterprises will be developed and promoted by the States/UTs in association with local communities and the private sector within the existing regulatory framework and guidelines". There is no specific mention of the role of fishing communities regarding recreational fisheries and ecotourism enterprises in the Draft NFP. **This means that the national fisheries policy on recreational fisheries does not have any special reference to the fishing communities. This is deplorable.**

O. Fresh Water Aquaculture:

The Draft NFP projected mariculture as the solution of problems of marine fisheries, for inland fisheries it similarly projects cage culture. **Cage culture is not an alternative to open water fisheries**, it has its own problems and also **causes negative impacts** on open water fisheries.

Besides it the Draft NFP misses the most important issue gnawing at Fresh Water Aquaculture namely the tenure rights of the small scale fish farmers and their right to protect the water bodies for fish farming.

Our country has a rich history of traditional aquaculture. Hundreds of thousands small fish farmers are engaged in fish farming in innumerable small, medium and large water bodies that are under both public and private ownerships. Apart from the privately owned tanks and ponds all public water bodies under fish farming were treated as common property resources by fishing communities. Instead of recognising and strengthening the community ownership the Government introduced lease system that abolished the community ownership and privatised the use of public water bodies for fish farming. In the case of privately owned water bodies that are taken on lease by small fish farmers the main problem has been of security of tenure. No or irregular



agreement papers, threat of eviction and/or irrational hike of lease rent at the end of agreement period are the main and common issues.

Thanks to the above, the small scale fish farmer communities are losing their access to water bodies which are being increasingly taken over by entrepreneurs from non-fish farmer communities.

The Draft NFP should direct abolition of lease system on public water bodies and restoration of common property regimes of fishing communities on them. The Draft NFP should also direct ensuring regularisation of lease hold titles with security of tenure for small scale fish farmers doing aquaculture on private water bodies.

The next important issue on freshwater aquaculture missed by the Draft NFP is the need to ensure supply of quality seed, feed and disease control measures to small scale fish farmers at reasonable rate. There should be strict quality control of fish farming inputs.

Another important point missed by the Draft NFP is of providing access to finance for small scale fish farmers.

Fish farmers' access to market and getting reasonable price for their produce should have been mentioned.

P. Brackish Water Aquaculture:

Large tracts of our coastal areas are facing devastation due to intensive brackish water shrimp aquaculture. It is affecting coastal environment and ecology together with the livelihood of coastal people including fishers.

The Draft NFP proposes promotion of brackish water aquaculture but is silent on the severe damage to our coastal ecology and environment having disastrous impact on coastal fisheries. Large tracts of mudflats are being encroached, thousands of acres of mangroves destroyed, thousands of acres of cultivable land are converted to shrimp farms. There is massive salinity ingress in coastal ground waters. Rivers, estuaries, canals, backwaters, creeks are all being polluted through release of shrimp farm waste water. Even the marine fishes are contracting disease.

It may be mentioned that **The Guidelines for Regulating Coastal Aquaculture** attached to the **Coastal Aquaculture Authority Act 2005** clearly mentioned that -

“3.0 Shrimp aquaculture practices

3.1 The technology, scale and intensity of shrimp aquaculture determine the production and productivity as well as the environmental and socio cultural impacts on the coastal environment. Presently, traditional/ improved traditional and scientific extensive shrimp farming practices are most common and adopted by the farmers in the coastal areas of the country. **Traditional/ improved traditional systems** are characterized by low stocking densities and limited application of supplementary feeding or fertilizers. In scientific extensive farming, supplementary seed and feed are encouraged as a means of integrating more effectively the use of land and water resources in the coastal areas.

3.2 The other technologies of shrimp farming such as semi-intensive and intensive are not recommended as they involve the use of higher stocking density of seed and larger quantities of feed and fertilizers. Such practices generally place larger demands on the natural resources and result in higher organic load leading to pollution and social impacts in the coastal areas. **Therefore, only traditional/ improved traditional and scientific extensive systems of shrimp farming shall be permitted in the coastal areas.”**



The Draft NFP has **overlooked the devastating impacts of intensive shrimp aquaculture and the statutory guidelines** to address those presumably because it is export oriented and generates revenue. This is **not in line with the commitment to ecology, sustainability and livelihood interests of larger fishing communities**.

Q. Post Harvest:

This section in the Draft NFP has the longest and most diverse suggestions regarding infrastructure and other facilities proposed to be provided for post harvest handling and sale of fish covering both marine and inland fisheries. But in this **the omission of small scale fish vendors is highly conspicuous**.

More than 80 crores or 0.8 billion people of our country eat fish. There has been more than 3 times increase in per capita consumption of fish from 1961. More than 13% of all animal protein consumed by our people is fish and apart from milk the largest supply of animal protein for our people comes from fish. Fish is available on a wide price range and in markets from big cities to remote villages. The small scale fish vendors deliver fish even at the doorsteps of the residents in different localities. **Small scale fish vending** thus provides for food security and nutritional status of our country in a major way. Great majority of fishers and fish farmers of our country are dependent on small scale fish vendors for sale of fish produced by them. **The small scale fish vendors provide a fairly efficient and large supply chain of fish for consumers**. Nay more, with more than 5 million fish vendors (by a very modest and unofficial account) it is a **very important employment sector**. Further, with about 70% of fish vendors being women, the sector plays an **important role in women's employment and maintaining gender balance in employment**.

It is a matter of deepest despair that the Draft NFP has **no mention of such an important sector** and has nothing to offer for millions of small scale fish vendors.

The Draft NFP should have proposed –

- i. A National Policy on Fish Vendors;
 - ii. Recognition of occupational dignity of fish vendors through Govt. Identity Cards;
 - iii. Small scale fish vendors' access to institutional credit;
 - iv. Transport facilities for fish;
 - v. Market with modern facilities;
 - vi. Cold boxes and storage facilities for small scale fish vendors;
 - vii. Development of small scale fish vendor cooperatives or collectives;
 - viii. Comprehensive Social Security;
 - ix. No displacement or eviction of small scale fish vendors from designated or undesignated selling places without their informed consent and proper rehabilitation.
- By proposing that “E-markets and e-trading of fish and fish products will be encouraged and promoted” the Draft NFP exposes the small scale fish vendors to loss of livelihood. **E-markets and e-trading of fish and fish products**



should have mandatory safeguards for small scale fish vendors and exclusively conducted by their cooperatives or collectives.

R. Cross Cutting Issues:

- i. Inter-Sector Coordination:** It is a well addressed sub-section. Should include the following –

Concern for fisheries and fish workers – fish habitats, fish farms and fish propagation should be made integral to policies and practices affecting water bodies and fisheries.

- ii. Water Use and Management:** The present **National Water Policy 2012** does have no mention of fisheries or fisher people. Recognition of importance of fisheries and fisher people and their protection and promotion should be incorporated in the National Water Policy.

The Draft NFP asks for ‘minimal right’ of water for fisheries and aquaculture. Instead of minimal right it should ask for **equitable right**.

- iii. Leasing, Licensing and Management of water bodies for culture fisheries:** Fishing communities should have the right to fishing and fish farming in public water bodies as common property resources. **The system of leasing out public water bodies should be abolished** and local fishing communities should be given perpetual right to fish or farm fish in the water bodies. In private water bodies leasing should be regulated to ensure security of tenure of fish farmers and reasonable rent.

- iv. Aquaculture at par with Agriculture:** Proposing aquaculture to be at par with Agriculture should not fail to mention that –
Land use categories and their changes must consider the environmental criteria with reference to pollution and degradation of land quality by industrial or intensive aquaculture, especially brackish water intensive prawn aquaculture.

- v. Cluster approach for development of aquaculture:** Development of aquaculture should not be targeted on ‘Export oriented higher value species’. It endangers local food security.

Also, instead of ‘Comprehensive Value Chain Development Strategy’ for each cluster, which is a proposition for future, need of the hour is to strengthen the existing value chain and distribution system which is reasonably effective. This would require strengthening the rights, entitlements and facilities for small scale fish vendors.

- vi.** The Draft NFP proposes “The Department of Fisheries, Government of India will draft the guidelines in consultation with the Ministry of Shipping, Coast Guard, Indian Navy, Ministry of Science and Ministry of Environment, Forest & Climate Change for undertaking mariculture activities in the EEZ”. There is no space for fishing communities in this. This is deplorable.



- vii. **Regulation of exotics:** The Draft NFP must in addition hold that exotics should not be introduced in natural water bodies / environment.
- viii. **Fish Seed Production and Genetic Up-gradation:**
- Extreme caution should be practiced for genetically modified species made in the name of 'Genetic Upgradation'. No genetically modified species should be allowed in open waters.
 - There should be regular inspection and certification of fish seed production.
- ix. **Community Participation, Cooperatives & Farmers' Organizations:** The concern of Draft NFP should not only be to encourage fisheries cooperatives or FFPOs take up development oriented activities along with transforming them into proactive business entities, but also to make them truly participatory so that the fish worker at the lowest level also can make his or her contribution and get benefitted.
- x. **Welfare & Gender equity:** The Draft NFP has been very brief and inadequate in its dealing with these two very important issues. Both of these deserve separate sections.
- **Welfare** - The Draft NFP should have stated that **Welfare Schemes are not hand-outs or alms given to the fish workers but their entitlements in recognition of their services to the society.** The Draft NFP should have also proposed **comprehensive social security schemes for fish workers** including life and accident insurance, housing, old age and infirm pension, widow allowance and children's education. In addition there should have been **insurance cover for boats, nets and aquaculture.** It is strongly suggested that a '**Small Scale Fish Workers' Welfare Fund**' is created to provide support to the fish workers at times of natural calamities and outbreak of diseases including epidemics or pandemics. The Savings cum Relief scheme should be suitably amended to provide **Rs.5,000/- per month as livelihood support to all fish workers** during lean or fishing ban season and Rs.15,000/- per family during stoppage of work due to epidemics as livelihood compensation.
 - **Women Fish Workers or Gender Equity** - 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. The Draft NFP should have proposed that –
 - The government should have a gender policy in fisheries which should be based on gender segregated data on women fish workers' contribution to the work in fisheries;



- Women fish workers should have women fish worker specific schemes and allotments –
 - To make good for the relative exclusion of women fish workers;
 - To access financial, business and technological support;
 - Women fish workers should have right of preferential access to –
 - Social security schemes meant for fish workers that include housing, life and health cover, old and infirm pension, widow pension, educational support for children;
 - Welfare and benefit schemes meant for fish workers;
 - Organise and run women fish workers' cooperatives, fish production groups, SHGs;
 - Special development measures in sectors dominated by women fish workers like fish vending, canoe based fishing, crab, mussel and weed collection etc.
 - Provide for basic amenities like toilet, resting place and crèche for women fish workers at fish markets, fish depots and places where women fish workers gather for work.
- xi. Fisheries in Protected Areas:**³ In marine and inland protected areas the small scale fishing communities' right to fish has to be protected. Restrictions, if any, have to be implemented with mandatory informed consent of the fishing communities and the local fishing communities should have mandatory right to participate in the management of the protected area.
- xii. Vessel Crew Fish Workers:** The Draft NFP needs to have special focus on vessel crew fish workers working on the mechanised fishing fleet of the country. The cursory reference to the need for ratification of ILO Convention 188 is actually an evasion of the problem resting with the subject. Government of India has consistently failed to ratify it in 13 years since the convention was passed and signed by it in 2007. There should be statutory regulations on employment and working conditions of vessel crew fish workers.
- xiii. Migrant Fish Workers:** Migrant fish workers who move out from home states to other states to attend to work in fishing mainly on mechanised fishing boats constitute a big issue in fisheries management. The vulnerability of the migrant fish workers has been catapulted on the centre stage during the lockdown for Covid-19 pandemic. Thousands of migrant fish workers in different fishing harbours of Gujarat, Maharashtra, Goa, Karnataka and Kerala in the West Coast and of Tamil Nadu on the East Coast were stranded without food and remuneration. Desperate to return home many of them started off on their own by paying hefty sums to the transporters. In many areas there were

³ National Policy for Marine Fisheries (NPMF) 2017 stated “.....the Government will also undertake review and periodic evaluation of the existing marine protected areas (MPAs) and for providing legislative support to ensure that tenure rights of the traditional fishermen are secured and their livelihoods not impacted by such conservation measures.”



agitations and police brutalities were also reported. It may be mentioned that the **Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979** needs to be updated with reference to migrant fish workers. There is a need for a Welfare Board for Migrant Fish Workers with participation of the Governments of home and destination states together with the Central Government.

- xiv. Fish Workers in Aquaculture Farms:** India is experiencing proliferation of Aquaculture Farms in both fresh and brackish waters that employ thousands of workers. The Draft NFP should have been concerned for these workers who work without standardised appointment, payment or working conditions.

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