

Proceedings of the Workshop on “Governmental programs for small and traditional fishers, and the access rights to coastal resources available to them”

Ramachandra Bhatta, President, Snehakunja Trust, Honnavara

Table of contents

- 1. Welcome address 1
- 2. Inaugural address 1
- 3. Address by the Chief Guest 2
- 4. Presidential address 2
- 5. Workshop Session #1: Governmental programs for small and traditional fishers 3
- 6. Workshop Session #2: Traditional and Small-scale Fishers, and the access rights to coastal resources available to them 8
 - 6.1 Coastal Regulatory Zone notifications 8
 - 6.2 The Karnataka Marine Fisheries Regulation Act 10
- 7. Recommendations 12
- 8. Feedback from the participants 13

A one-day workshop on “Governmental programs for small and traditional fishers, and the access rights to coastal resources available to them” was held at the conference hall of Snehakunja Trust, Honnavara on 3rd March 2023. The workshop was attended by a total of 52 participants, most of whom were small-scale fishers from different districts of Karnataka such as Uttara Kannada, Udupi, and Dakshina Kannada. There were 15 women participants in the workshop.

1. Welcome address

The program started at 10:45am with Mr. Narasimha Hegde of Snehakunja Trust welcoming the participants and guests. Mr. Narasimha Hegde also briefly described the mission and achievements of Snehakunja Trust.

2. Inaugural address

Mr. Chandrakanth Kochrekar, President of the National Association of Fishermen- Karnataka, inaugurated the workshop and delivered the inaugural address. Mr. Kochrekar recalled his earlier associations with Snehakunja, particularly when the then President of the Trust Dr. Kusuma Soraba led the protests against the Sharavati Tailrace project. He complemented the organizers for picking appropriate topic for the workshop. He remarked that the country’s fisheries policymaking is at a crossroads, and traditional coastal fisheries are under threat. He referred to the protest by traditional fishers in Karawara on 2nd March 2023 against mechanized fishing. Uttara Kannada district has enormous resources that sustain coastal, marine and inland capture fisheries, as well as inland aquaculture. However, inland fisheries is being neglected, and those fishers are being forced to work as laborers in mechanized fishing boats. Even in mechanized fishing, Light Fishing in particular is posing serious threat to the sustainability of fish stocks. Light Fishing is being practiced by capitalist fishing boat owners who are causing fish stock decline in pursuit of short-term gains thereby making small-scale fisheries (SSF) unviable. Officials who are supposed to regulate the fishing effort are turning a blind eye to harmful mechanized fishing practices. On the other hand, traditional fishers are being displaced and evicted from their homes to make way for new harbors and ports. Even though the fishing sector is contributing thousands of crores of revenue to the government, the fishers themselves are under stress. He questioned the silence of intellectuals in this time of stress. Already Karnataka has three major ports in Mangaluru, Karawara, and Belekeri. Adjacent to Belekeri, a new port is being proposed in Keni at a cost of ₹2,400 crores. When the Mangaluru and Karawara ports are themselves not operating at their full capacity, what is the need for constructing new ports he questioned, and for whose benefit? The serene environment of Uttara Kananda is being permanently destroyed for purely commercial gains. He questioned the need for building new commercial ports at Pavinakurve, Kasarakoda, and Manki. People of Kasarakoda in Honnavara have been protesting the construction of the new port for over 12 years, but the protest is being undermined by filing false cases against the protesting fishers and harassing them by making them frequent the courts. There are turtle nesting grounds in the district, and precious wildlife, that need to be conserved. The Coastal Regulatory Zone (CRZ) notification, which was brought out to protect coastal resources, is being violated on a large scale. There is an Eco-beach in Kasarakoda, and a theme park on Rani Chenna Bhaira Devi is being proposed, both of which help promote tourism. However, there is also a

commercial port being developed that will lead to transportation of harmful minerals and petrochemicals, thereby destroying the very environment where tourism is being promoted. CRZ violation for road construction on the beach at Kasarakoda happened under the protection of the police. If the government and officials can do whatever they want, then why have regulations at all? Are the regulations only for common people and not for the powerful? Even though this is a democratic country, those who are supposed to uphold the law are themselves turning out to be law-breakers. Those who are sitting in faraway places like Bengaluru without any knowledge about the ground realities are doing all the planning and implementation. Even the welfare programs available in the Karnataka Department of Fisheries (DoFK) of the Government of Karnataka are not in favor of traditional fishers. Subsidies are being offered to large mechanized fishing boats that cost ₹20-50 crores owned by industrialists. However, traditional fishers who operate cast-nets, gill-nets, pattey baley etc. are not recognized in the department's policies. Even when there are programs for small-scale fishers, they face severe limitations in budgetary allocations. Due to inappropriate policies, many of the beneficiaries turn out to be not fishers. All these developmental projects are just creating more trouble for traditional fisheries. Subjugation of fishers must stop. In this light, the workshop should discuss important issues relevant to small-scale fishers and send the proceedings to appropriate authorities.

3. Address by the Chief Guest

The Chief Guest, Ms. Sivaja Nair from the International Collective in Support of Fishworkers (ICSF) Chennai, talked of the series of workshops being organized by ICSF on SSF which gave the idea to hold state-level workshops that focus on each state's major priorities. She talked about the booklet published by the ICSF on "Voluntary Guidelines for Securing Sustainable Small-scale Fisheries" to further promote the efforts of the Food and Agriculture Organization (FAO) along these lines. The voluntary guidelines were brought out in 2014 but in India we are lagging in implementing them. The guidelines would help improve the situation of small-scale fishers by making explicit provisions for them in policymaking. Until the mid-1980s small-scale fishers did not figure in policymaking. Since then, there are concerted efforts to push the cause of small-scale fishers at various sub-national, national, and international forums. Major themes in the guidelines include Decent Work, livelihood protection, governance, disaster management etc. Since this is a voluntary guideline, there is no compulsion on the part of the nations to implement the recommendations therein. Indonesia, Philippines etc. have adopted many of the tenets recommended in the guidelines. Given the voluntary nature, it is up to the fishers and their organizations to negotiate with the government to implement the guidelines. The workshop shall deliberate these guidelines, and the audience shall participate in the discussions regarding access rights and governmental programs available to traditional fishers so that they can apply the knowledge in addressing the problems they are facing in their village. The workshop shall not just limit itself to complaining about limitations, but go further and propose solutions.

4. Presidential address

Mr. Ramachandra Bhatta, President- Snehakunja Trust, in his presidential address noted that though small-scale fishers form 60 percent of Karnataka's coastal fishing fleet, they harvest

only about 20 percent of the state's marine fish harvests in a given year. This used to be the opposite until the 1980s. Besides, most of the fish harvested by traditional fishers is utilized for direct human consumption in local and regional markets, unlike the industrial fishing sector where much of the catch is diverted either for exports or for production of fishmeal and fish oil. Traditional fisheries, hence, make a great contribution to local and regional food security. Therefore, it is of vital importance to support the small-scale fishers of Karnataka and safeguard their interests. There are also additional challenges introduced by increasing occurrence of extreme climate events. Moreover, the Goal #14 of the UNDP's Sustainable Development Goals is concerned with fisheries. Despite such global level efforts in recognizing small-scale fishers, at the local level there are severe challenges facing them. Mr. Bhatta emphasized the commitment of Snehakunja Trust for environmental conservation and sustainable development.

5. Workshop Session #1: Governmental programs for small and traditional fishers

Mr. Ravindra Talekar, Deputy Director of Fisheries, CRZ, Karawara, was the resource person in this session, and Mr. VM Naik was the session moderator. Mr. Talekar confessed that DoFK does not currently have many schemes targeted specifically at traditional fishers. He talked about the schemes available to fishers under district-sector, state-sector, and centrally-sponsored (60 center-40 state) programs. He noted that compared to 10-15 years ago, annual budgetary allocation for DoFK has increased tremendously in the last 4-5 years. DoFK manages the rights to fish production in public freshwater bodies such as grama panchayat tanks, irrigation tanks etc. In coastal waters, DoFK is tasked with issuing licence to fishing boats, their registration, and providing basic fishing requisites to them. DoFK has district-sector schemes promoting aquaculture and fish marketing:

- Subsidy for aquaculture in farm ponds where freshwater carps can be grown from fingerling stage to table size. For a unit cost of ₹ 12,00,000/= a subsidy grant of ₹ 400,000/= is available
- Supplying 500 carp fingerlings at free of cost for stocking in homestead ponds for fattening
- Supplying of the fingerlings of grass carp to control aquatic weeds
- A grant support of ₹10,000 for purchasing fish fingerlings
- Providing fishery requisite kits to help farmers harvest fish from aquaculture pond
- Marketing assistance to fishers and fish farmers: bicycles+ice box (₹4000/= subsidy on a unit cost of ₹10,000/=); subsidy for two-wheelers (unit cost of ₹75,000/= and a subsidy of ₹30,000/=); subsidy for purchasing rickshaw+ice box (unit cost of ₹300,000 and a subsidy of ₹1,20,000/=); subsidy for four-wheeler purchase (₹6,00,000 unit cost and a subsidy of ₹2,40,000)

Mr. Talekar noted that there are budgetary limitations on these schemes. Next, he described the state-sector schemes of DoFK. These include:

- Free distribution of fishing nets worth ₹10,000 to individual fishers

- Grant of ₹10,000 to coastal fishers for purchasing a fishing requisite kit with lifebuoy, life jacket, etc.
- Promotion of aquaculture in cages set up in coastal backwaters: Farming of the Barramundi or Asian seabass (*Lates calcarifer*) in cages is being promoted. A cage may be stocked up to 1000 fingerlings of Barramundi, with a cost per fingerling of ₹40, thus a 50 percent subsidy of ₹20,000 is being provided by DoFK for fish seeds alone
- Stocking of freshwater reservoirs with large-sized fingerlings
- Estuarine ranching to be taken up from this year, wherein fingerlings of marine/coastal fish will be released into estuaries by the government to augment fish catch
- Setting up of cage for aquaculture is also subsidized under the centrally sponsored Pradhan Mantri Matsya Sampada Yojana (PMMSY), under the condition that the beneficiary will continue aquaculture in cages over the next five years. Unit cost of a cage is ₹3,00,000/=, and a subsidy of ₹1,20,000/= is available to General-category beneficiaries whereas women and Scheduled Caste/Scheduled Tribe (SC/ST) beneficiaries will receive a subsidy of ₹1,80,000/=.
- Promotion of coastal shrimp farming under state-sector scheme, only for those farms registered with the Coastal Aquaculture Authority (CAA). A subsidy of ₹1,00,000/= per hectare is available under this scheme to cover the costs of shrimp seeds and feeding.
- Savings-cum-Relief funds for coastal fishers: Members of fisheries cooperatives would receive monetary support from the central and state governments during the lean fishing season, which has traditionally been the three monsoon months.
- Subsidy for kerosene to operate motor-powered traditional fishing boats. It is likely that this scheme will be phased out since kerosene is believed to cause more pollution. Petrol-powered engines are becoming more popular.
- Subsidy for diesel used in mechanized fishing. Sales tax on diesel is waived off for mechanized fishers.
- There is a proposal to setup artificial reefs to attract fish for improved fish harvests. This would be taken up in consultation with fisher groups and the Central Marine Fisheries Research Institute (CMFRI)

PMMSY is a centrally-sponsored scheme that encompasses various programs aimed at development of fisheries and aquaculture in the country. This is a flexible scheme in which state governments can tailor the different programs to suit their respective fisheries. Aquaculture programs involve facilitation of cage aquaculture, bivalve farming, seaweed farming, recirculatory aquaculture system (RAS), biofloc technology etc. For small-scale capture fisheries, PMMSY provides subsidies on bicycles, two-wheelers, three-wheelers, and insulated vehicles for fish marketing. Unit cost of an insulated vehicle is estimated to be ₹ 20,00,000/=, of which 40 percent will be offered as subsidy for the General category beneficiaries while for women and SC/ST beneficiaries it is set at 60 percent. Kiosks for marketing live fish are also covered under PMMSY (Unit cost of a kiosk is estimated at ₹20,00,000/= on which a subsidy of ₹8,00,000/= is available). Fishing safety kits at ₹40,000/= for General and ₹ 60,000/= for

SC/ST; communication devices for fishing (VHF, handheld devices etc.) ₹35,000/= . Subsidies for setting up ice-plants of various production capacities.

The audience/participants of the workshop raised several concerns about the schemes being implemented by DoFK.

- Mr. Ganapathi Tandel indicated that the livelihood of traditional fishers is under threat due to programs such as the Sagarmala that evict fishers from their home. There is also ineffective communication about the availability of governmental programs, which results in traditional fishers being kept out of welfare schemes.
- Mr. Shobhendra Sasihitlu expressed his concern about the guideline of governmental schemes that require applicants to produce letter of support from the Member of Legislative Assembly (MLA) or other elected representatives for eligibility. Such a requirement often disregards deserving members of fisheries cooperatives, instead favoring candidates who have political clout. He also raised concerns about the estuarine ranching scheme that is prone to corruption, for example tadpoles released instead of fish fingerlings. Similar observations can also be made with respect to reservoir stocking of fingerlings. He complained that members of his cooperative have not received monetary support in the savings-cum-relief scheme for the last three years. Schemes aimed at traditional fishers such as kerosene subsidy and subsidies to outboard motor (OBM) fishing boats are prone to long delays. Interstate fishing boats is a big concern to fishers. Fishing boats of Karnataka are regularly seized in Kerala and Goa even when the boats are in the legally demarcated fishing areas, and those boats are fined heavily. Language barriers also add to the confusion in such matters. A uniform guideline should be implemented by the central government for facilitating interstate fishing activities.
- Mr. Ramesh Kharvi of Bhatkala lamented that Uttara Kannada district lags behind in properly disseminating the benefits of fisheries welfare schemes. Monetary support under the savings-cum-relief fund has not been disbursed in the district for four years. This is discouraging fishers from participating in the scheme. Therefore, DoFK should quickly disburse the money owed to fishers. The PMMSY scheme as implemented in Uttara Kannada suits only rich applicants. For example, the scheme provides subsidy on insulated vehicle of 200-box capacity which is too expensive for small fishers. Hence, 50-box or 100-box vehicles should be supported under the scheme. Moreover, subsidy on fishing boats can be availed for deepsea longliners which are suitable for states like Andhra Pradesh and Tamil Nadu but not for Karnataka. There are several such mismatches in PMMSY that prevent small-scale fishers from benefiting in the scheme. Bivalve farming and cage aquaculture need to be popularized across the district and sufficient budget needs to be given for the same. It is also difficult to register shrimp farms under the CAA due to land record requirements and CRZ guidelines.
 - Mr. Talekar responded that the workshop organizers should record the concerns about the mismatch in PMMSY and communicate it to DoFK and other concerned authorities for correcting such mismatch. He also noted that cage aquaculture needs to be developed with utmost caution as it is likely to congest the estuaries and coastal waters if not controlled properly. A separate Mariculture Policy of Karnataka is being proposed that would define the spatial

and other limits for setting up cages in open waters. Difficulties in registering of shrimp farms under CAA have been already been brought to the attention of concerned authorities. He also reminded that the CAA provisions were laid out to prevent pollution and salinization of coastal areas, in accordance with the orders of the Supreme Court of India.

- Mr. Shobhendra Sasihitlu remarked that traditional fishers can avail assistance under PMMSY for replacing their wooden boats with fiberglass boats. He noted that in other states it is possible to avail subsidies for smaller insulated vehicles that have a unit cost of ₹10,00,000/=. He lamented that boulders are being placed all along the beach in Karnataka which encroach upon the space available to traditional fishers for seeking their livelihoods. CRZ officials and the contractors responsible for such programs need to consult local fishers before placing boulders. Traditional fishing units such as the Rampani (a beach seine) need to be included in PMMSY. Such units may cost ₹25-50 lakh which need to be included as unit cost in PMMSY. Subsidies on OBM boats need to be reincorporated into DoFK schemes. Such provisions would help governmental programs reach the deserving beneficiaries. He pointed out the long delays in settling insurance claims. He raised the issue of certification of fishers.
- Many fishers raised the issue of delays in proper implementation of the schemes.
- Mr. Talekar clarified that the Joint Director of Fisheries (JDF) of Karawara division is the appropriate authority to solve most of the issues raised by the participants.
- Mr. VM Naik, the moderator, stated that many of the problems being raised by the participants have been there for many years. He also mentioned that delay is a common feature of most governmental programs. The problems perpetuate because fishers do not organize to seek remedies. He recommended that the CRZ No Development Zone (NDZ) limit should not be reduced to 50m from the existing 200m since that would further erode the space available to fishers. The proposed new aquaculture policy allows for foreign investors to set up cages in our waters, which will squeeze the livelihood options of fishers. He briefly described the advantages of collectivizing fishers in the form of companies. Fishers should be educated about their rights and powers. He mentioned about a case where even the proceedings of meeting were recorded wrongly. He recalled the case of Karawara port construction in which thousands of fishers lost their home as against about 75 people who got menial jobs. Aquaculture would not be feasible for small-scale farmers. He mentioned about the program initiated by the Department of Forest of Government of Karnataka which aims to offer alternative livelihoods to small-scale fishers and to conserve marine organisms. Department of Forest has also proposed to buy old/damaged fishing nets directly from fishers offering better prices so that such nets do not become cause of ghost fishing. Farming of various species is under trial in this program. Cage aquaculture should be allowed to be taken up by small-scale fishers who operate in those waters. Farming of the mud crab has immense potential as it has a lucrative market in Singapore. However, local fishers are not benefiting much as middlemen capture much of the profit margin. Fishers get about ₹500/= per kilogram whereas in Singapore it costs ₹3000/=. Collectivization of farmers and fishers can increase their bargaining power. He remarked that the appropriate resource person for this session is the Joint Director of Fisheries who could have quickly acted upon the issues being raised in the workshop.

- Mr. Mohan Kodikal from the Kulai Fisheries Cooperative stated that diesel subsidy is offered for mechanized fishing boats every year whereas small-scale fishers receive support only once. For example, fisherwomen are eligible to receive ice box only once. Moreover, only limited funding is available for such programs that are aimed at traditional fishers. For the entire Mangaluru taluk, only 100 ice boxes were provided by DoFK, each costing about ₹2,000/= . However, deep-sea fishing boats receive 9000 liters of diesel at subsidized rate whose value equals about ₹9,00,000/= . This money can be used to provide ice boxes to 450 fisherwomen who need those boxes in selling fish. Though the government has money to support large subsidies for rich people who own deep-sea fishing boats, sadly government has no money when it comes to supporting even basic requirements of small-scale fishers. The DoFK does not respect the recommendations of even the local MLA. There are operational hurdles such as routing the application through the Seva Sindhu portal. The portal is very slow and does not open quickly. He also complained about the slow pace at which money is deposited by government to fishers' account under the DoFK savings-cum-relief program. Age limit has been set at 60 in the program, whereas fishers continue to work well beyond 60. Even the monetary assistance under the program is too small especially considering increased cost of living. Fishers are hesitating to enroll in the program. Monetary assistance under the program should be increased to ₹10,000/= from the current ₹5,000/= . Mr. Kodikal raised the issue of poor support given by DoFK for fisheries cooperatives even though membership in cooperatives is a basic requirement in many DoFK program guidelines. Running a cooperative requires dedicated office, staff, and facilities such as computers and software. DoFK is evading from its responsibilities by asking the societies to do all the work that too without providing any support. Therefore, the government must provide a one-time grant of ₹25,00,000/= to resource-poor fisheries cooperatives, for example those that do not operate any diesel bunk. Even though the government stipulated that COVID19 relief should be distributed to all fishers, DoFK distributed it to only those enrolled in the savings-cum-relief program.
 - Mr. Talekar responded saying DoFK is bound by the allocations made in the budget by the government and the associated guidelines for spending. He promised that he will convey the discussions held in the session to the appropriate authorities. Regarding the savings-cum-relief program, he was hopeful that there will be no delays anymore since the program has been brought under PMMSY which does not suffer from lack of budget. He reiterated that all discussion points of the session should be forwarded to various offices of DoFK so that the department can take further actions.
- Mr. Shridhar Kumta wanted to know why no new boats are being permitted under the PMMSY. Mr. Talekar responded that the purpose of PMMSY is to support those traditional fishers who want to transition from wooden boats to fiberglass boats. Mr. Kumta requested that new boats also be permitted under the program. He also described the problems that traditional fishers face when trying to seek support from banks. Banks typically ask for records relating to properties held by fishers. However, most fishers do not have such assets that meet the requirements set by the banks. Even claiming insurance for loss of life and fishing boats/nets is very difficult for traditional fishers. He lamented that fisher cooperatives are divided. Governmental programs for fishers are not helping traditional fishers at all due to the mismatch between fishers' requirements and the procedural guidelines.

- Mr. Shobhendra Sasihitlu commented that only one life jacket is provided by DoFK for a boat with a crew of 15. Even the life jackets provided are of poor quality. Saving the life should be prioritized by the government instead of issuing life insurance money to the family of dead fishers. He also recommended that the Sagara Mitra personnel recruited by the government should be asked to visit fishing villages and locally process the applications of fishers before sending to DoFK.
- Mr. Ramachandra Bhatta noted that there are thousands of fisherwomen who are engaged in production and marketing of dried fish, but they are not considered in any governmental programs. He disclosed that though he had been contacting the Joint Director of Fisheries (Karawara) for almost a month to invite to the workshop there was no response from that office. He profusely thanked Mr. Talekar for agreeing to act as the resource person in the session. He assured that the proceedings of the workshop will be forwarded to concerned authorities including the Director of Fisheries, Joint Director of Fisheries (Karawara), the Governmental Secretariat, as well as to the NFDB.

6. Workshop Session #2: Traditional and Small-scale Fishers, and the access rights to coastal resources available to them

6.1 The Coastal Regulatory Zone (CRZ) notifications

Mr. Mahabaleshwar Hegde was the resource person in this session, along with Mr. Vinod Patagar. Mr. Prakash Mestha was the moderator of the session.

Mr. M. Hegde started by briefly describing the 2013 Land Acquisition Act. Government of Karnataka is not using the 2013 Land Acquisition Act to acquire land, but uses older laws mainly for two reasons: the former stipulates that at least 70 percent of land owners in the area should consent when acquiring land for public-private partnership enterprises; and, social impact assessment (SIA) was made mandatory in the former.

Mr. M. Hegde noted that there are three key legal issues that are of interest to small-scale fishers. These are: demarcation of the EEZ and the international waters; CRZ provisions and violations; and, fisheries regulations including the Marine Fisheries Regulation Act of Karnataka. The session would cover the latter two issues. He requested Mr. Patagar to first talk about CRZ provisions.

Mr. Patagar explained that many fishers are wary about CRZ due to many misconceptions. However, there are many beneficial provisions made for fishers in CRZ. He recalled his experiences of conducting several outreach programs to improve the awareness about CRZ, and strongly urged all fishers to understand CRZ provisions. There are four zones under CRZ: I, II, III, and IV. In CRZ-I, there are two subzones, viz., I-A (comprises ecologically sensitive areas such as turtle nesting places, mangroves, swamps etc. where only limited activities such fish harvesting and traditional processing are allowed) and I-B (area between the high tide line (HTL) and the low tide line (LTL), here fishing, fish hatcheries, docking of boats and nets etc. are allowed). CRZ-II denotes areas that are already developed, and here too fishing activities are allowed. Much of rural areas come under CRZ-III where the NDZ exists from the HTL up to 200m landwards. The NDZ does not prohibit any fishing activities including construction of

fisher houses. In fact, NDZ did help traditional fishers in gaining access to coastal commons. However, it does not allow other economic activities such as setting up of resorts and factories. In 2019, amendment in section 5(3)-C stipulated that local fishers can take up home-stay and other such tourism activities. CRZ-IV comprises the area from the LTL to 12 nautical miles seaward. In CRZ-IV all traditional fishing activities are allowed. In locations where tourism is booming, there are instances of individuals restricting fishers from accessing the beach. However, such restrictions are not permissible under CRZ provisions.

Mr. M. Hegde clarified that CRZ does not intend to constrain traditional fishers, but if fishers are not aware of CRZ provisions they are likely to be misguided by vested interests. Fish harvesting, docking of boats and nets, net mending, fish marketing, fish curing and drying, and other such traditionally performed fishing activities are allowed under CRZ without the need for clearance. Construction activity by fishers or those who have resided there before 1991 are allowed.

- Mr. Chandrakanth Kochrekar alleged that rampant violations of CRZ notification has taken place in Kasarakoda, Honnavara to abet construction of the new commercial harbor. Natural course of justice is to file the First Information Report against the perpetrators of such violations. He wanted to know what options do the fishers have if correct legal procedure is not followed by those responsible. Mr. M. Hegde replied that there are no specific actions prescribed in the CRZ notification against violations. However, there are umbrella laws for CRZ in the form of acts that allow legal recourse. For example, the Environmental Protection Act (EPA) Section 5 can be invoked to file cases against CRZ violations. Under this section, if the violations are found to be true, then the perpetrators can be fined, or the project halted, or disconnect their electricity and water connections. It is important that fishers understand the provisions made in EPA Section 5 as it describes the punishments for various environmental offences. There are other options against CRZ violations, such as reporting to the District Level Coastal Committee (DLCC) in each district headed by the District Collector. Its members include fishers, fisheries officer, other members, and a regional director. The DLCC shall meet regularly and forward the complaints received to a state-level committee in Bengaluru named the Karnataka Coastal Zone Management Agency (KCZMA). The state Environment Department usually does not have regular staff, and most staff are on deputation from other departments such as forests.
- Mr. Shobhendra Sasihitlu raised the issue of creating private enclosures by erecting compound wall along the river bank after cutting down mangrove plants, This has prevented fishers from approaching the river for fishing.
 - Mr. M. Hegde suggested reporting the matter to Dakshina Kannada DLCC for further action at KCZMA. Individual complainants may approach members of KCZMA to convince them to take up the matter during the meeting.
 - Mr. Prakash Mestha noted that a similar violation was reported from Udupi which was taken up by the National Green Tribunal (NGT). The NGT ruled that the place shall be restored to original condition, and also levied heavy fine on the perpetrator. He suggested that a formal complaint be filed at the CRZ office giving details of the land under question. Since mangroves are in CRZ-I-A, it is an ecologically sensitive area. CRZ officials shall visit the location to verify the

details. Complaints can be filed with various departments, such as the Department of Forest, the CRZ office, the Biodiversity Board etc.

- Mr. M. Hegde added that environmental legislations are mostly products of people's movement. CRZ is also like that, and hence there are many improvements possible. He recalled the efforts to decentralize decision-making under CRZ whereby DLCC can take certain decisions instead of sending the file all the way to Bengaluru.
- The CRZ notification applies to the area from HTL to 500m landwards, and from LTL to 12 nautical miles seawards. The KCZMA is in charge of CRZ matters. Mr. Ramachandra Bhatta is currently a member of KCZMA.
- Revenue maps of villages are used in marking the CRZ areas under different zones. Such maps are called Coastal Zone Management Plans (CZMP). Fishers are advised to verify if the land of interest to them is recognized in their village CZMP. If any omissions are there, a new map may have to be drawn which can take substantial time. CRZ maps of villages are available from the KCZMA website.
- As per the 2019 CRZ notification, a fisher residing at a place since 1991 need not seek clearance for repair. If there is no existing house, and if anyone wants to construct new house, then a clearance is needed that will require applications with proper documentation.
- To identify as a fisher, membership in a fisheries cooperative is the most important documentation available. If there are migrant laborers working onboard, then a licence could be availed to indicate the number of workers onboard the boat.
- Mr. Ramachandra Bhatta noted that aquaculture of shrimp and fish were brought under the definition of agriculture via the 1995 Amendment to the Land Reforms Act. He enquired about getting the Non-Agriculture status for land to start a new shrimp farm. Mr. M. Hegde added that it does not come under CRZ, but rather under the Land Reforms Act which has its own documentation requirements. It is not correct that CRZ clearance is possible only for NA land as aquaculture is permitted in zones CRZ-III and IV. However, it is required that the shrimp farm land be NA.
- Mr. Shobhendra Sasihitlu demanded that the traditional fishers already inhabiting coastal dry land (Khushki bhoomi) be made owners of such land by seeking permission from the Revenue Department. Mr. Prakash Mestha added that many fishers are residing and using coastal commons without proper documentation of ownership (patta bhoomi). Mr. M. Hegde noted that such changes can be brought about through amendments to the revenue acts and survey acts, though bringing such changes is not easy as it has to be done at Central Government level.

6.2 The Karnataka Marine Fisheries Regulation Act

- Next, Mr. M. Hegde explained issues surrounding the Karnataka Marine Fisheries Regulation Act (MFRA). Mechanized fishing started in Karnataka in 1963 with three trawlers. Adoption of mechanized fishing increased tremendously and quickly in the state that resulted in adverse impact on fish populations. The Catch Per Unit Effort (CPUE) declined. In response, the MFRA was implemented in 1986: to protect

traditional fishers; to resolve the conflicts between traditional and mechanized fishers; to control harmful fishing practices and to control fishing effort that affect fish populations and marine environment. For example, fishing of the cuttlefish (Kappe Bondas in Tulu/Kannada) has been banned under the provisions made in MFRA. The MFRA stipulates that first the fishing boat needs to be registered and then a license needs to be obtained for fishing boat engine. Mesh size of fishing nets has been regulated. The MFRA applies to fishing within the EEZ of India, i.e., areas up to 200 nautical miles of depth. Those fishing in international waters need to get permit from the Ministry of Shipping of the Government of India.

- Under MFRA, two officials are designated- an arbitrator who is either a Deputy Director or above, and an authorized officer who is an Assistant Director or above. These two officials have the authority to inspect fishing boats.
 - Specified Area are defined for the jurisdiction of the officers (taluk-level, state-level etc.)
 - Section 3 of MFRA defines the power to regulate, restrict, and prohibit fishing activities in specified areas.
 - Three critical factors in issuing licence are: safety features of the boat; condition of the fishing net; and facilities available in the boat to store harvested fish. The license needs to be renewed every year.
- In 1994, an order was brought out demarcating an area up to 7 nautical miles in the western coast of India, and area up to 10 nautical miles in India's east coast, for traditional fishers. This implies, for example, trawlers are not legally permitted to operate within 7 nautical miles in Karnataka. However, it is not clear how to measure and identify the boundary.
 - Section 4 of MFRA stipulates the actions that can be taken for violations of Section 3 provisions. Cancellation of licence, ban the fisher from fishing for up to 3 years, seizing the boat, and levying fine, are provisions made for violating the regulations. Fine can be levied by Deputy Director or above grade.
 - For wrongful convictions, appellate authority of the DoFK can be consulted within 30 days of the incident. But it cannot be questioned in the court of law.
 - Fine is calculated as 10 times the value of fish harvests in the boat, seize the harvests,
 - All actions of the Government officials are always considered as actions taken in good faith.
 - Participants complained that the Coast Guard in Karnataka does not control fishing by boats from outside states. Mr. M. Hegde replied that the Coast Guard is not authorized legally to control such fishing activities, but it is the duty of DoFK.
 - It is likely that a common fishing ban period will be soon implemented for the states of Karnataka, Goa, and Kerala

- Mr. Shobhendra Sasihitlu commented that traditional/small-scale fishers catch only a small share of the marine fish harvests. even though they form the largest share of labor force in the marine fisheries sector. However, during times of fish famine traditional fishers are disproportionately adversely affected compared to owners of mechanized fishing boats. Mr. M. Hegde commented that such discrepancies need to be brought to the attention of the government for seeking remedy.
- Mr. Prakash Mestha noted that roads are being constructed along the rivers in CRZ areas. He was apprehensive about the effect on property rights of land owners if they have some right over the river portion. Conflicting directions from various government departments regarding coastal commons are also creating confusion for traditional fishers. Mr. M. Hegde replied that CRZ clearance is needed if the area is within 500m landwards but it does not give rights over rivers. Construction of roads is permissible in certain zones of CRA, and it should not disturb fishing activities. In the 2019 CRZ notification, zonation is defined based on population density also. This may create further confusion. Seafront activities are permissible under CRZ based on proper furnishing of ecological details.
- Mr. Prakash Mestha, as moderator, noted that traditional fishers are being negatively impacted by development of industrial fisheries. Traditional fishers therefore need to organize and fight for their rights.

7. Recommendations

1. Policymakers must stop their neglectful treatment of traditional fishers, who form by far the largest category of fishers in Karnataka. Immense contribution that traditional fishers make in supporting livelihood and in contributing to food security should be recognized and reflected in governmental programs.
2. Traditional fishing practices should be considered as “low-carbon fisheries” that cause least damage to the environment.
3. The CRZ notification should be strictly adhered to when implementing any developmental program in the coast. Safeguarding the interests of traditional fishers must come first when designing and implementing such developmental programs. On the same line, the practice of reckless depositing of rocks/boulders on the beach in the pretext of controlling seafront erosion must stop. Such activities should be preceded by detailed ex-ante ecological and socioeconomic impact assessments.
4. Government should introduce new welfare programs that are specially designed for the traditional/small-scale fisher community. Budgetary allocations for these programs must be made in accordance with the number of traditional fishers operating in each taluk. This will avoid disproportionate budgetary allocations being given to mechanized fishing at the expense of traditional fishers. Some such possible welfare schemes include, but not limited to, the following:
 - A. Distribution of ice boxes/plastic crates to fishers should be resumed with sufficient budgetary allocations under PMMSY.

- B. Fish drying should be included for promotion under the “Post-Harvest Management” programs of PMMSY. Distribution of tools required for fish salting and drying should be taken up under PMMSY. These tools include cisterns/tanks, tarpaulins, weighing machines, plastic crates, packaging materials, and subsidized crystal salt.
 - C. Fish drying yards must be set up in fishing villages and landing centers where traditional fishers are given preferential lease agreements to take up fish curing and drying activities.
 - D. In the PMMSY guidelines, individual schemes must be made flexible to accommodate the needs of small-scale/traditional fishers. For example, instead of 200-box capacity insulated vehicles, the guidelines should include 50-box or 100-box capacity insulated vehicles. District-level officers must be delegated the power to modify the guidelines to suit the needs of fishers of the district.
 - E. All beach landing points must be provided with necessary facilities such as sheds to keep traditional boats, mechanical winches to haul boats from the water onto the beach, sheds for fishers to take rest, drinking water facilities, sufficient lighting, and washrooms.
 - F. Include traditional fishing gears such as the Rampani for support under the PMMSY.
 - G. Distribution of life jackets to all traditional fishers.
 - H. Rising the monetary assistance under the savings-cum-relief program to ₹10,000/= per month.
5. Welfare of traditional fishers can be better achieved through forming and strengthening their collectives.
- A. Formation of new forms of collectives of traditional fishers must be encouraged, such as the fisher producer organizations.
 - B. Existing collectives, especially those not endowed with income-generating resources such as diesel bunks, need to be given a fresh lease of life through a one-time grant of ₹25,00,000/-.
6. Service provision from the DoFK needs to be vastly improved (for example, through better integration of technology, upgrading the Seva Sindhu portal etc.). Money owed to fishers under programs such as the savings-cum-relief scheme should be deposited directly to the bank accounts of the fishers. Similarly, insurance claims should be settled quickly.

8. Feedback from the participants

- The participants were appreciative of the topics covered under the workshop. They felt that traditional fishers have been ignored for long in policymaking, and such workshops

should be organized more often to raise awareness about the injustices being meted out to such a vulnerable community.

- The participants felt that the workshop would have been more successful had there been proper representation from DoFK. Many participants even felt that DoFK is insulting the traditional fisher community by not sending an appropriate resource person even though the department was informed almost a month in advance about the workshop. The participants and the organizers profusely thanked Mr. Ravindra Talekar, who came well-prepared for his talk and answered all queries admirably.
- The participants asked the organizers to relay the discussion points of the workshop to the concerned authorities including the concerned Panchayats (village, taluk, district), state government offices (the concerned ministers, DoFK, the Secretariat) and the central government (NFDB, Department of Fisheries of the Government of India).

Mr. Ramachandra Bhatta proposed the vote of thanks, and the workshop came to an end.