

Capacity building workshop on Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication for Mumbai and Raigad districts
20th February 2016
10 am – 5.00 pm
- workshop Report

The workshop was held at the Koli Samaj hall, at Malad in Mumbai. It was attended by 40 participants from Raigad and Mumbai district. Representatives of Fisheries cooperatives, community organisations, women representatives, academicians and leaders of Maharashtra Macchimar Kruti Samittee (MMKS) contributed to the discussions. (Appendix 1 – List of participants)

The workshop started with a brief welcome by Ms Shuddhawati Peke of ICSF, who explained the purpose of the workshop and also informed the gathering about the agenda for the day. (Appendix 2 – Agenda of workshop). Mariette Correa, Senior Programme Coordinator, ICSF, gave a brief history and overview of the VGSSF explaining the process of its development, its key aspects and that it is located within a human-rights framework. She also spoke about Chandrika's role and participants observed a minute of silence to honour Chandrika's dedication to the struggle of small-scale fisheries. Kiran Koli, Mumbai President of Maharashtra Macchimar Kruti Samittee spoke in the memory of Chandrika Sharma. He introduced her work with fishers worldwide in her tenure as ICSF's Executive Secretary to the participants. He also recalled the role of Chandrika in India level Kolkata workshop where VGSSF was discussed when it was still in nascent stage.

Following this, Shuddhawati explained substantive issues in the Guidelines sharing with the participants the key areas related to sustainable fisheries, tenure rights, gender, trade, labour, climate change and disaster management. (Appendix 3 – VGSSF presentation).

Participants were then divided into 7 groups to discuss the components of the SSF Guidelines. Each group was assigned to discuss on one component. So 7 groups discussed on 7 components of SSF guidelines viz. Sustainable resource management, Governance of tenure, Social development, employment and decent work, Value chains, post-harvest and trade, Gender equality, Disaster risks and climate change, policies, institutions, information, research and capacity building. The key questions the participants were asked to discuss included what is the situation in their village and district viz a viz provisions in VGSSF, what can be done to improve the situation, customary tenure rights, management systems in fisheries, what policies needed etc.

Once their discussions were finished, one representative of each of the 7 groups presented what they discussed. Several important issues were addressed. Ulhas Watakare from Raigad represented first group's discussion on tenure rights. He said in Raigad and Mumbai, dolnet fishers, creek fishers, women fish vendors, women fish processors are all small scale fishers. Who shall do which fishing is not controlled in the state leading to conflicts among fishing communities. Recently declared Government resolution has given some protection to small scale fishers but it needs to be implemented. According to 402/1983 Government Resolution fishers and their cooperatives have demanded for 7/12 extracts in fishers name but government has not complied to the demand and in many places there are encroachments on this spaces. Even land for fish processing is becoming insufficient now. There are municipal markets but in koliwadadas there are no such built markets, auction halls etc. To get user rights on coastal lands, sea and water bodies government tried to bring fishers rights bill 2009 even there they held consultations across the state but it has not got

legal status yet. We need to get legal protection to our traditional user rights. Fisher's rights bill should come as legal act but central and state government is neglecting this need. There are many loopholes in subsidy for mechanised boat building scheme and diesel subsidy therefore many fishers don't get benefit from it in true sense. Urbanisation has impacted highly on Mumbai's koliwadras and livelihood pattern. Big companies like ONGC and other have impacted fish production. Biodiversity needs to be protected but water pollution is the biggest threat to it. With this entire situation may lead to fisher's suicide like farmers suicide because same situation of piled debts can be seen now and to worsen this government doesn't have policies or packages to cope with this like they provide to farming sector. To protect tenure rights over seas and coastal land fishers are trying hard but not getting support from government. We request NGO's like ICSF to support struggle of fishers.

Second group on sustainable fisheries management had Moreshwar Waitee to present; their group discussed on how still even today their villages follow traditional fishing practises adopted by their forefathers. They don't have written rules for that. They have their own decision making process at village level and or at community level of different villages. Whenever some conflict happens whether at sea, land or fishers home they get it solved at village or community level. So if solved people won't go for police and court it is to be seen that conflicts should be solved within communities. Whether women are involved in decision making process is question of debate and yes whenever women issues come up their involvement should be on priority basis and community should give them importance. He shared recent experience where at the inauguration of new cooperative he saw 22 male members on dais and not single woman not even 2 women members on committee by legal provision. He declared it as a biased view of patriarchal society which still prevails in fishing communities. On the fishers participation in sustainable management and governance, he said their group felt there is lot of scope for improvement whenever good laws comes they participate. They want control on purse seine net fishing. Finally he called for cooperation among all bodies especially within fishing communities saying what is wrong should be opposed by all and not some few.

Third group discussed on social development, employment and descent work. Suman Koli reflected on situation in fishing villages in Raigad District. She doesn't see socially developed fishing villages/ideal fishing villages. There is still lack of basic facilities like potable water, sanitation, lack of fish drying space, boat parking space. Government speaks of making Mumbai Shanghai but she asks them to visit Koliwada and see what the ground reality is. Fishing communities are still backward. There are many activities that are trying to capture sea and coastal lands. People of her village Gavhan are still waiting for compensation. 40 years has been passed Jawaharlal Nehru Port Trust has flourished but fishers are still awaiting their dues. This government is so pro farmer, but not pro fisher. Another representative of her group added to her points saying he will speak specifically about Madh Island an urban fishing village from Mumbai where he comes from. He said they don't have government hospital, English medium school in their village. Vulnerable groups like women, disabled, and old age don't get benefited from a single scheme. There is only one insurance called boat insurance scheme but that is effective only if boat gets lost. Other than that nobody gets other insurance benefits. If one wants to have alternative livelihood, constraint of land and capital comes in. For on board fish workers, boat owner may provide life jackets, phone, GPS. They demand government should ensure their safety. Coastal land should be made in the name of its users i.e. fishers; government should also protect small fishers' right of fishing in near shore waters. Especially vulnerable fishers whose livelihood depend on creek fishing, pag net users, shivan net users get double disadvantaged by polluted waters released from industries and municipalities and from builders who reclaim the land causing destruction of mangroves thus affecting fish production in these areas.

Vijay Awaskar of Pen Fishers cooperative then presented on value chain, Post harvest and trade.

He reflected on guidelines saying all value chain is complex subject which we as a fishers cooperative don't dwell upon much but trade is something which we can discuss easily. In our state fisheries comes under agriculture, dairy and fisheries department so if they see in agriculture and dairy, government declare minimum support price but if they don't see such practise in fisheries. Seafood prices in hotel menu card are constantly changing and many times not mentioned at all. Government has not decided concrete policy for fisheries since independence. He enlisted people involved along the whole value chain as small scale fishers like head loaders, auctioneers whether men or women, women fish vendors, men fish vendors, fishers with one cylinder boat or wooden boats, net menders and repairers, prawn peelers, fish processors, crew working on boats, fish loaders and unloaders are all small scale fishworkers according to his group. But what about their recognition like those who are member of fisheries cooperative are recognised with government but there are many who are out of preview of cooperatives what about them. In biometric card scheme it is only for members of cooperatives, if any project comes only cooperative members are recognised as project affected persons. These cooperatives only speak for their members' issues which may not reflect the entire community's needs. In whole capitalistic paradigm, everybody favours projects with money including government. All government schemes are conditional like for BPL people. Also while NCDC and other subsidies are given to fishers but not to fishers cooperatives. Their group suggested single window scheme for fishers, management cost from government, and loan waiver like government do with capitalist defaulters and farmers. They also suggested government to follow Promotive schemes to encourage good cooperatives and to inspire other cooperatives to catch up. He said corruption in activities of infrastructure development, lack of monitoring and maintenance support, lack of quality control resulted in weak construction of basic facilities like jetties, fish markets etc. He ended with highlighting lack of preservation facilities like cold storage, transport at the fishing villages. For export and other trade related activities he said small scale fishers won't get support from government it is meant for big fishers or industries. Kiran Koli raised objection to the some of the points made in presentation over small scale fishers and Biometric card. He said, in cities like Mumbai due to urbanisation and polluted waters, fishers has to adapt to bigger boats and engines so he asked to consider dol net fishers as small scale fishers. While Biometric card issuance MMKs leaders held meetings in all districts appealing to register each and every fishing community member under biometric and he said it is very sad if in some places only cooperative members got the card and not others.

Group on Gender equality had Prakash Koli speak on it. He said women are responsible for the entire household and care work, if male members help her in some of these activities she can pursue her fishing business with more vigour. Fishermen should support his woman strongly. Fish markets are lacking facilities, women fishworkers are rarely benefited from schemes whether business development or social security. Their group suggested of making village level committees who will represent women in state level policy decisions. This committee should help women to develop their markets using government scheme, also can operate ready to eat seafood stalls at traffic at junctions and popular places. In wholesale fish business they see 90 % of male vendors mostly North Indian but fisherwomen doesn't get support to procure fish at wholesale rate from their community. Next group on disaste risks and Climate change selected Advocate Laxman Bedekar to speak on behalf of them. He started with admitting that his group didn't know much about the subject but their ancestors knew all the information about subject matter. They were excellent fish hunters and climate predictors. He said everybody knows about low fish production, extinguished species, temperature and rainfall changes, land reclamation, pollution, and killing of mangroves all aggravating crisis in fisheries. He described implementation measures to combat climate change, he said government should train and distribute technologies relate to disaster management to fisher people free of cost, fishing communities and government policies should

coerce to remove coastal land grabbing, plantation of mangroves, insurance safety to onboard boat crew, like farmers fishers should also get benefits like draught declaration, loan waiver, support to combat fish drought etc.

Sanket Patil spoke for the last group on policies, institutions, information, research and capacity building. He introduced himself as research student studying town planning at Ahmadabad and specifically looking at fishing villages in Mumbai. He said his group had many questions over their topic. They felt that land should be entitled to users like under forest and agriculture. There should be a simplified procedure for transfer of land, permissions to repair and redevelopment in koliwadadas. He said their group felt that like one experiment in Pune where ward committee were asked to decide budget for their ward same can happen in fishing villages where they must first allocate budget according to their needs maintaining cultural fabric of community. For getting benefited under various schemes like government have reserved BPL category with fishers also they can reserve budget for small scale fishers and schemes only meant for them. Regarding policy coherence he gave example of land transfer where BMC, revenue department, forest have so many issues so there is no question of coherence between them. Their group suggested taking Gramsabhas and consulting with people before allocating any project, land or budget to get suggestions. Group felt there are many institutions that provide information related to fishers but there is a procedure involved and NGOs like ICSF must reach at grassroots level or there should be NGOs at grassroots level. He ended with one suggestion that came up was to train Gramsabhas to reach out with information with people.

After lunch there was a panel discussion on tenure rights in Mumbai and Raigad district. Chairperson of the Panel discussion Kiran Koli invited Ramdas Koli of Raigad to share experience of NGT judgement that ruled in favour of user rights of Raigad fishers, Rajesh Mangla of MMKS who was requested to share his work on Mumbai's Koliwadadas and Development plan, Ulhas Watkare of MMKS, Shuddhawati Peke of ICSF and Ujwala Patil of MMKS to speak on women fishworkers tenure rights. Ramdas Koli of Paramparik Macchimar Kruti Samittee started with congratulating women for participation in workshop and speaking up. He said they started their fight seeking help from politicians first. They waited three years from 2005 to 2008 but politicians never put up a single meeting on their issue. They fought on the human rights ground and set up first example in Maharashtra where small scale and traditional fishers won legal battle. He then went on describing the process of legal battle. In September 2013 they putted up petition to NGT, there were two judges one expert and one judge, they were sympathetic of fishers case, fishers made first request to them to carry proceeding in Marathi so they can argue their position strongly and judges granted them permission. Small scale fishers were legally fighting against government bodies, this was not a simple battle, retired barristers of Jawaharlal Nehru Port Trust, big advocates of City & Industrial Development Corporation and Oil & Natural Gas Corporation, legal experts of Navi Mumbai SEZ, their lawyers used to be present in large numbers and some divine power kept fishers standing in court in front of platoon of big names in legal profession. Judge himself was translating for them for whatever oppositions lawyers have spoken of. Collector's survey played an important part in judgement. That time collector Mr Zagade himself sent letters to JNPT, CIDCO, Navi Mumbai SEZ, ONGC to discuss the matter with fishers to which they never responded. He then called for general meeting at town hall still authorities' didn't showed up but in that meeting fisheries department accepted that fishing and fish production in project affected area is diminished. He declared stay on project activities till they don't comply with 10 major demands of small scale fishers and many don't know that stay is still valid and they have shown it even in supreme court. Collector did survey for total 3 months in Uran, Gavhan, Hanuman and Belpada Koliwada and there is no appeal to this survey till date. There are acts for fishers but nothing on ground for small scale fishers so we decided not to wait for politicians and to get substantial act

legally to protect small scale fishers. This is crucial judgement not only for Maharashtra but for all the small scale fishers in India. They have not stopped there and have not got carried away for 95 crore compensation declared for us. Maharashtra has 1922 Mahul creek act of British period. Mahul people filed a case against creek and that 2 page result was very beneficial for their judgement. Judge even used 1882 Mangrove residential rights of which they didn't have knowledge which says that land belong to small scale fishers using the land for livelihood and residential purpose. He the defined traditional fisher is fishers who are staying on their land for generations whether they are fishing or not.

Second speaker on tenure rights of Mumbai, Rajesh Mangela requested to speak Hussain Indorewala professor at Kamala Raheja school of Architecture to speak first respecting his work and expertise on the issue. Hussain said Koliwad as in Mumbai are struggling with Development plan and coastal road both of which going to impact user rights and development of their space. Earlier people used to demand more Floor Space Index as they thought it will lead to more development for them. Now people understand that more FSI mean and more profit to builder and not to the land user. First thing fishers need to understand is to protect their customary rights they need to save their land from development pressures and lures. When development plan was done many koliwada's were not shown, those which were shown as a slums. In public consultations conducted by BMC, people from Gaothan, koliwad as and tribal hamlets demanded for mapping of their villages. According to 2011 CRZ notification Koliwad as clearly comes in CRZ III zone and their boundaries must be demarcated. BMC when followed up on says they need land records from revenue department but this not the issue of ownership, it is related to the user rights, BMC needs to understand this. If demarcation is not done then land in koliwad as falls under general Development Control Regulations meant for the city. That means fishers will lose their land. Second issue is coastal road which will reclaim 38 hectors of mangrove land and will go above the fish drying spaces of Moragaon and Khardanda village but ultimately going to impact everyone. That 38 hectors is official figure he doesn't know how much mangrove killing will be done unofficially and afterwards Koliwad as have recently opposed it strongly and we need to continue that. Sanket Patil added to Hussain's talk giving specific case study of Mahim Koliwada. He said in his research study he has found that while redeveloping Mahim Koliwada by MHADA i.e. government reclaimed 15 acre of creek land of which only 6-7 acre were used for resettlement of fishers and other land was given to Raheja, ONGC, Police quarters etc. He got the old plan of MHADA in which entire land was reserved for fishers activities like fish drying, cold storage, ice factories, boat parking, net mending, auction hall etc. Some of the land was encroached and some of the land then MHADA gave to resettlement of people from other slums and for government quarters. Bombay improvement trust which was before BMC had not given land transfer in many koliwada's so we need to protect these lands claiming fishers' user rights. Like in Morgaon such case happened where land got transferred in builders name so fishers need to watch out to protect their tenure rights. Rajesh Mangela spoke briefly on development plan, he said Mumbai has got 3 development plans till now including the one under development; first one was in 1967 followed by second one in 1993. This time BMC held Public consultations, many technical things which are difficult to understand even to architects is difficult task to fight for it for common man like them. In 1990's they put a stay on builder's activities in Moragaon who tried to capture their fishing village. Since 1988 they were demanding to government to claim their user rights but this builder political nexus is stronger than them. Mumbai still doesn't have coastal zone management plan as per provided in CRZ notification 2011. This is done deliberately to capture prime land. NGT judgement in favour of small scale fishers is very useful in their fight as well as there is Supreme Court judgement in favour of villagers rights. Where in case against state of Punjab they have established user rights. fishers have legal judgements with them and they need to continue the fight.

Ujwala Patil spoke next on tenure rights of women fishworkers on fish markets and fishing villages. She said equally like men in fishing villages' women have rights over community resources. She made her point clear describing Chitra Khalija Incident where fisher or boat owners got priority for compensation while women left behind when they were the most affected from the incident. There are 61 fish markets, 40 private fish markets and 102 street fish markets and in those fisherwomen vends fish in large numbers. These spaces are threatened to development pressures and there is no transparency in this process. Reservation of the fisherwomen's spaces must not be changed, they argued for modern fish markets to attract customers and to keep younger generation to accept their fish vending business. Women need to get support from community and institutions to understand technicalities in DP, reservation and redevelopment. She ended with demanding for reservation of spaces for women for entrepreneurship development in ready to eat seafood, canteens, seafood stalls, fish processing units, procurement and freezing facilities for domestic marketing etc. Ulhas Watkare Raigad president of MMKS spoke on small scale fishers in Raigad, he advocated for minimum support price for seafood. In 1982 government resolution came to entitle coastal land rights to fishers but still yet it needs to be implemented. It clearly said coastal lands, lands under fisher's houses, creek lands, fish drying lands should be transferred in fisher's names or their organisations. Mr. Laxman Bedekar of Raigad district added to earlier speakers points. He stressed on unity among fishing communities, their demand for reservation and fight against caste validity is still continuing. He said all knows fishermen is not a caste but a occupation and calling all fishermen Maharashtra government converted them to Special Backward Category in 1995 based on their occupation and not on caste. There are Mahadev kolis, Dongar kolis, many fishing castes in Maharashtra and some are given reservation and some are fighting for their already given reservation status. Fishing communities are still backward, there are no educated and serving class at higher position from fishing communities nor do they enjoy political power. Reservation in such cases is necessary once they are considered ST's all other acts and regulation for their protection and development follows. There is international convention for indigenous people which speak of their cultural rights. When cast validity examiners comes people don't know much about their own culture this needs to change, their institutions and organisations should spread awareness about their traditions, festivals, gods, marriage, death and other rituals, language and out folk songs, stories and dance forms. Kiran Koli then called for questions from participants on which Ramdas Koli clarified status of appeal to NGT judgement in Supreme Court in response to Laxman Bedekar saying it is still in Supreme Court and awaiting report from government as despite notices given by SC they have not submitted their report. Kiran Koli then summarised the session saying small scale fishers have won NGT judgement; their fisheries department has also won case against Chitra Khalija incident where compensation is granted but real conflict is now how to distribute the package. He supported claim of Ulhas Watkare that they have more number of fisher's organisation than number of fish species. He further explained his point describing what happened in women fish vendors' case where redevelopment lure resulted in so many fishworkers organisations claiming leadership in fish markets. Purnima Meher, fish vendor of citylight fish market objected concept of fisheries zone where women can sit for fish vending. She said with such scheme customers won't come to fish market if they get fish around their residential quarters, also what about their basic facilities. Ujwala Patil supported her saying organisations like MMKS along with market women should give their representation to BMC regarding upcoming fisheries zone. Workshop ended with lot of hope and experience sharing among participants of Raigad and Mumbai district.

The meeting ended with Kiran Koli thanking ICSF and others on behalf of Maharashtra Macchimar Kruti Samittee. He specially thanked Koli Samaj Sangha Malad who provided workshop hall and other facilities free of cost and participants who came long way to attend the workshop and meaningful contribution.