Fishing community issues in the Sundarban Tiger Reserve (STR)

Pradip Chatterjee

DISHA
1. Sunderbans Biosphere: 9630 sq km.
2. Inhabited Area: 4493.6 sq km.
3. Reserve Forest Area: 4263 sq km.
4. Tiger forest Area: 2585 sq km.
5. National Park: 1300 sq km.
6. River embankment: 3500 km.
7. Total cultivable Area: 310562 ha.
8. Under irrigation: 35041ha (11.28%).
9. Under second crop: 52233ha (16.82%).
   a) Police Station: 5
   b) Blocks: 6
   c) No. of Gram Panchayats: 50
   a) Police Station: 11
   b) Blocks: 13
   c) No. of Gram Panchayats: 140
12. Total number of mouzas: 1080
13. Number of inhabited mouzas: 1064
14. Number of islands: 54
## Sundarbans Protected Areas

<table>
<thead>
<tr>
<th>Legal designation and year</th>
<th>Area (sq km)</th>
<th>Activities prohibited/restricted/regulated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sundarban tiger reserve (STR), 1973</td>
<td>2,585 sq km—1,600 sq km is the land component, and 985 sq km is the water Component</td>
<td>“Core” or ‘Wilderness zone”: Area of 1,330 sq km Primitive zone inside core: 124.40 sq km Subsidiary wilderness zone: 241.07 sq km. Buffer: rest of the area, where activities are regulated</td>
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<tr>
<td>Core or Critical Tiger Habitat, 2007</td>
<td>1,699.62 sq km</td>
<td>Newly designated core of the STR, adds about 370 sq km to the core. All activities are prohibited</td>
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<tr>
<td>Sundarbans National Park, 1984 (world heritage site)</td>
<td>1,330 sq km</td>
<td>All forms of hunting and fishing prohibited Also the core of the STR</td>
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<tr>
<td>Sajnekhali Wildlife Sanctuary, 1976</td>
<td>362.40 sq km</td>
<td>All forms of hunting and fishing prohibited Forms a part of the buffer area of the STR</td>
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<tr>
<td>Sundarbans biosphere reserve (includes the STR and reserve forest and human settlements around it)</td>
<td>9,630 sq km. It covers the delta of the Ganges-Brahmaputra river system, south of ‘Dampier-Hodges Line’.</td>
<td>Designated into core area, buffer area and transition zone. Core area: Approximately 1,700 sq km (National Park) The buffer area comprises a majority of mangrove areas, including reserve forests. The Transition zone Comprises inhabited areas, with some mangrove areas mostly in non-forest areas and reclaimed areas with agriculture.</td>
</tr>
</tbody>
</table>
SUNDARBANS TIGER RESERVE

SUNDARBANS BIOSPHERE RESERVE

HUMAN SETTLEMENTS

RESERVE FORESTS

CORE /NP

Sajnekhali Wildlife Sanctuary

Primitive Zone of STR

Buffer Area

Tiger Reserve Boundary

Tourist Area

Railway

International Boundary

Tiger Project Office
Fishing regulations in STR

- Non-motorized fishing allowed in ‘permit’ (Buffer) areas (outside the national park and wildlife sanctuary)
- **Boat licence certificates (BLCs), restricts fishing craft**
  - 914 BLCs issued for fishing in STR in early 1980s,
  - Active BLCs: 709
  - BLC’s non-transferable, only mutated in favour of blood relative
  - Annual registration fees is paid based on the capacity of the boat
- **Annual registration charge of BLC** is (Rs. 15 to Rs.150) fixed according to the capacity of the boat
- **Seasonal pass issued to BLC holders**
  - Amount Rs 40 per person per season, issued for period August to March annually
- **Permits** issued to BLC holders, for a period of 42 days, at the rate of Rs 5 per person per week
  - Fines are charged for overstaying/ non-renewal of permit
- Closed fishing season from 1 April to 30 June every year
- **Identity cards issued for STR fishers by Forest Department in 2008**
  - 555 cards issued to boat owners, and 2,119 cards to crew
  - Covered by life insurance scheme
Management

Managed by Conservator of Forests and Field Director, STR

Management plans exist from early years, listing activities regulated

Sanctuary advisory committee formed in 2007 for Sajnekhali Sanctuary

Eco-Development Committees (EDCs) and Forest Protection Committees (FPCs) set up by Forest Department, as a sequel to Forest Department Resolution No. 8556-For. Dt.15.11.1991. And the first EDC or FPC was formed in the area only in 1998 – a long 7 years afterwards. limited to 25 villages in the STR region (as in 2008)

Sundarbans biosphere reserve activities coordinated with Sundarbans Development Board (SDB)

Communities yet to be involved in developing and implementing management plan
Fishing communities

- Fishing is seasonal occupation, people also farm, collect crab/prawn seed, work as daily wage labour
- Estimated number of inland fisherfolk families:
  - 52,197 (24 Parganas South)
  - 50,897 (24 Parganas North)
- Villages in remote areas with poor access to potable water, transportation, sanitation, electricity, education and health facilities
- Fish depot owners/merchants are also money lenders
- Many organisations of fishers, two main associations: The United Fishermen’s Association and the Sundarban Matsajibi Joutha Sangram Committee
- Fishers perceive causes affecting fish production in STR:
  - Trawling in inter-tidal and estuarine waters
  - Pollution from inland waters
  - Usage of destructive fishing gear such as mosquito nets
- Fishers also perceive mistreatment by enforcement agencies
Fisheries

- Naukas traditional boats in inland waters, 24 to 42 ft overall length
- Common gear dragnet, shore seine, stakenets, gillnets and fixed bagnet, in inter-tidal waters
- Inland fish landing centers: Canning, Herobhanga and Gosaba
- Total fish production: 1.2 mn tonnes, of which inland fish production is 1.09mn tonnes
- West Bengal Marine Fisheries Act, 1993 along with West Bengal Marine Fisheries Rules amended up to 1998
Livelihood issues in STR

- Lack of socio-economic data on people dependent on STR resources
- BLCs
  - 1980s process of issuing BLCs is seen as problematic, rights not properly settled
  - Numbers are fixed, fisher population has increased since 1980s
  - Inactive BLCs yet to be redistributed to active fishers
  - Procedure for mutating BLCs lengthy and complicated
- Permits
  - Fishers pay fine if permits are not renewed after stipulated time, even if they do not wish to, or are unable to, renew it
- Fines and offences
  - Fishing violations are fined under Compounded Offence Report (COR)
  - Increase in cases of COR from 361 (2000-01) to 2,086 (2007-08)
  - Rules and regulations complex, violations and other details written in English, difficult for fishers to comprehend
  - Complaints of mistreatment amass
  - No clear guidelines for fine amounts
Livelihoods issues in STR:

- **Dacoities**
  - Frequent dacoities, transborder gangs also operate.
  - Abductions abound
  - Very inadequate security provided

- **Human-animal conflicts**
  - Several cases in recent years
  - Inadequate compensation paid to families of people killed by tigers
  - No compensation to families of those considered to be fishing illegally

- **Impact on Women**
  - Women known to be involved in prawn seed collection, affected by rules in place
  - Impact on the women not considered, women not involved in decision-making
Livelihoods: Initiatives Undertaken

- EDCs and FPCs formed by Forest Department in fringe villages, has limited provisions to involve people in the implementation of PAs regulations, explore alternative livelihood activities, and undertake rural development activities. No decision-making involved in policy matters.
- SDB involved in developing alternate livelihoods and rural development, but no integrated sustainable management plan.
- Tourism provides limited seasonal alternative livelihood, especially for educated youth.
- Benefit-sharing is often not equitable.
- Has impact on the ecosystem, no clear norms.
- In general, livelihood initiatives limited, inadequate gender focus.
Fishworker Organizations: Demands

**Sundarban Matsajibi Joutha Sangram Committee:**

- Calls for restrictions with a human face, “Bidhinishder manobik chebra thakadorkar”
- Fishers should have legitimate role in designating PAs, developing rules and regulations, and in management
- Need to focus on the actual causes of mangrove destruction, and reduction in fish stocks
- Other factors that impact the ecosystem such as tourism, pollution and sedimentation, should also be addressed
- Transparency in implementation, and humanitarian treatment of fishers should be ensured in STR regulations

**United Fishermen’s Association:**

- Advocates for removal of all restrictions on fishing
The legal question

- STR was formed by a Govt. order in December 1973
- The first management plan of STR admits that fishers enjoyed unrestricted fishing rights in its waters
- The prohibitions were imposed without any clear record or settlement of rights of fishers or forest dependent people
- MoEF Guidelines to notify critical wildlife habitat requires adherence to both Wildlife (Protection) Act, 1972, as amended in 2006, and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
- WLPA 2006 asks the state government to take consent of the forest dependent people before recommending a critical tiger reserve
- The Forest Rights Act recognizes “other community rights of uses or entitlements such as fish and other products of water bodies” in the forest areas.
- MoTA clarifies that the people who do not actually reside but depend on the forest for their bona fide livelihood needs should also be covered by the Forest Rights Act.
- MoEF Guidelines further directs to consult the Gram Sabhas that would fall within or are dependent on resources within the proposed critical wildlife habitat, and to have resolutions of the Gram Sabhas acceding to the proposal for critical wildlife habitat
The legal question (Contd.,)

- The Government of West Bengal in the Department of Forest notified the core or critical tiger habitat under Notification No.6028 Dt.18.12.2007
- The Expert Committee was formed on 4.11.2007 and it took the government only 44 days to publish the notification
- It added about 370 sq kms. of reserve forest area to the core or no take zone
- No effort was taken to even consult the dependent communities, let alone taking their consent or settling their rights
Recommendations: Settlement of Rights

- **Implement WLPA provisions, on tiger management plan:**
  - Recognizing livelihood, development, social and cultural rights of the local people in buffer areas,
  - Participation of local Gram Sabha in the planning and designation of tiger reserves, and development of management plan
  - Re-notify core or critical tiger habitat, following WLPA provisions, communities to be consulted, before increasing area

- **Implement Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006**
  - Recognizing rights of fringe communities dependent on the forests for *bona fide* livelihood needs.
  - Important to settle the forest rights of the local communities in the Sundarbans
Recommendations: Fishing regulations

**BLCs**
- Assess the status of fisheries resources and issue/re-issue BLCs, as legal rights
- Re-issue old and inactive BLCs, prioritizing fishers not allocated BLCs at the time of original allocation
- Make renewal process simple

**Fines**
- Develop transparent guidelines for fines, develop and disseminate fine charts
- Fix fine amounts proportionate to the offence and the socio-economic status of fishers
- Note violations in local languages
- Allow innocent passage for motorized vessels through the buffer zone, mark navigational channels and educate fishers
Recommendations: Fishing community participation

- Involve village-level community institutions (including women) in developing and implementing management plans, with enforcement agencies
- Seek community involvement in patrolling and enforcement
- Translate and make accessible management plans
Recommendations: Information, co-ordination and training

- Improve institutional co-ordination between different departments
- Collect systematic information on fisheries resources for management
- Train Forest Department officials on social issues and on participatory approaches to conservation.
- Train fishing communities significance of conserving habitat
Recommendations: Lives and livelihoods

- Collect gender-segregated socio-economic data
- Develop short term alternate and long term alternative livelihoods proposals in consultation with communities,
- Ensure better access to basic services
- Improve market linkages and prices received by fishers
- Enhance coverage of EDCs/FPCs and their participatory function
- Ensure low-impact tourism with equitable cost-benefit sharing mechanisms
- Ensure access of fishing communities to formal system of credit and marketing
- Develop long term management plans for both fisheries and forest resources within/outside STR to ensure better livelihoods
Recommendations: Lives and livelihoods (contd.,)

- Human-animal conflicts
  - Enhance efforts to reduce human-animal conflict
  - Ensure adequate compensation to all fishers, irrespective of where death has occurred
  - Develop alternative livelihoods as a measure to reduce conflicts
- Regulate pollution from developmental activities include from sewage and industry