

STATE RESERVOIR FISHERY POLICY

PREAMBLE

Water is a gifted resource of nature which is not only a prime need for life but also an invaluable potential for development of fisheries. Orissa State with its immense water resources has tremendous scope for augmenting fish production for the growing fish-eating population and also generating rural employment. During the last five decades, the State has utilized its closed water bodies viz.—ponds and tanks through scientific aquaculture both in fresh water and brackish water sectors. But open water bodies like reservoirs, rivers, estuaries, lakes, lagoons, canals, swamps, etc. which are vast in terms of area and productive capacities are mostly untapped or undertapped. The present level of production and productivity of the reservoir resources of the State have been estimated at 1830 metric tonnes and 9.3 kgs. per hectare respectively. But if the same reservoir resources are developed on scientific lines with appropriate operational and conservation measures as outlined in the draft policy, the projected production and productivity would increase to 19,748 metric tonnes and 100 kgs. per hectare respectively. Thus the major objective of **“STATE RESERVOIR FISHERY POLICY”** for scientific management of vast and valuable reservoir resources are as follows :—

Major objectives

- (i) To augment fish production from the vast untapped/under-tapped reservoir resources through scientific management.
- (ii) To generate gainful rural employment with special reference to fishing communities and economic rehabilitation of displaced persons.
- (iii) To introduce systematic management strategies both for conservation and sustained fish production.
- (iv) To attract increasing investments from private sector.
- (v) To stimulate entrepreneurship for fishery sector with special reference to reservoir fishery.
- (vi) To substitute traditional methods by introduction of advanced technology in operation of reservoir fishery.
- (vii) To develop skill among fishermen/fisherwomen in reservoir operation and organizational strengthening.
- (viii) To generate substantial revenue for the State.

1. OWNERSHIP

1.1. Fishing rights of all reservoirs above 40 hectares (100 acres) shall be vested with Fisheries & A.R.D. Department. The fishing rights of all reservoirs up to 100 acres will be transferred to respective

Gram Panchayats for leasing them out to Primary Fishermen Co-operative Societies registered under Orissa Co-operative Societies Act, 1962 or Societies registered under Orissa Self-help Co-operative Societies Act, 2001 etc. Transfer of fishing rights to the Fisheries & A.R.D. Department and the Gram Panchayats of the reservoirs to be created, shall be an automatic process after impoundment. All such transfer shall be effected unless and otherwise any water body is specifically earmarked for any specific purpose by the Government.

1.2. The fishing rights for all these water bodies will be transferred with immediate effect to the Fisheries and A.R.D. Department of Government of Orissa. Fisheries and A.R.D. Department will in turn take active steps for ensuring stocking of these water bodies and multiply the production level of fish and prawn in the reservoirs. The transfer of fishing rights will be subject to the following conditions :—

- (i) The safety of Irrigation Project reservoir should in no way be jeopardized as a result of fishing activity. The field level Fishery Officers will co-operate with their counterparts in the Water Resources Department to maintain highest safety standard in the Project.
- (ii) Stumps will be cleared to facilitate the netting operation in the reservoir by the fishermen except the area specified in Para. 3.4. A certificate may be submitted jointly by the District Level Fishery Officer and the Executive Engineer, Water Resources in the proforma given in the *Annexure I* to the effect that stumps have been fully or partly cleared from the reservoir.
- (iii) Steps should be taken to provide basic infrastructure in the existing irrigation project to facilitate fishing activities in the Reservoir such as approach road to the Reservoir, Fish Landing Centre, Captive Nursery (2 Nos. of tanks of half a hectare each water area and 1.5 metre depth or more as per fingerling requirement), a multipurpose building of 2000 sq. ft. plinth area and a patrol boat (In case of reservoirs having Mean Water Spread Area of over 200 hectares). In case of all fresh proposals for Irrigation Projects for renovation and new projects, provision should be made for making available the aforesaid infrastructural facilities in consultation with the District Fishery Officer.
- (iv) The Fisheries Department will take steps for rearing of fish seed of over 100 mm. size in the Captive Nursery for stocking in the reservoir every year.
- (v) A Co-ordination Committee at the District level may be set up with the following members.
 - (a) S.E. in charge of the concerned Irrigation Project
 - (b) E.E. of the concerned Irrigation Project
 - (c) Zonal Deputy Director Fishery of the concerned zone
 - (d) District Level Fishery Officer
 - (e) Tahasildar of the concerned Tahasil

This Committee should meet at least once in every quarter during the year.

2. CLASSIFICATION :

Basing on the mean water spread area of reservoirs, the following classification is made :—

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| (i) 10 hectares to <1,000 hectares | .. | Minor Reservoir |
| (ii) 1,000 hectares to <5,000 hectares | .. | Medium Reservoir |
| (iii) Over 5,000 hectares | .. | Large Reservoir |

3. OPERATIONAL STRATEGY

Taking into consideration the productivity pattern and management aspects of reservoirs in relation to water spread area the following operational strategy shall be adopted.

3.1. The reservoirs of the major, medium and minor irrigation projects, the fishing right of which has been transferred to Fisheries and Animal Resources Development Department, shall be leased out to the nearest Primary Fisherman Co-operative Society / Societies formed under the Orissa Co-operative Societies Act, 1962 or Society/ Societies registered under the Orissa Self-Help Co-operative Act, 2001 (P.F.C.S.). Preference will be given to displaced persons/project affected persons (Who are poor and interested in becoming active fishermen) in conferment of fishing rights. In case a particular reservoir is leased out to more than one Primary Fishermen Co-operative Society (P.F.C.S.), the area allotted to each P.F.C.S. should be identified properly to avoid any dispute in future. A lease value of Rs. 300 per hectare per year will be charged from this Primary Fishermen Co-operative Society/Societies fishing in Minor reservoirs. This amount will be deposited by the concerned P.F.C.S. in one instalment with the Fisheries and A.R.D. Department which in turn will deposit an amount of Rs. 60 per hectare per year in Government Treasury in appropriate head of account. The balance amount of Rs. 240 per hectare per year will be deposited with the concerned Fish Farmers Development Agency (F.F.D.A.). This amount will be used for purchase of fish seed from the fish farms of Government/Orissa Pisciculture Development Corporation Ltd. for rearing in the captive nursery and stocking in the reservoir every year.

In case of medium and major projects, the lease value will be Rs. 200 per hectare per year out of which an amount of Rs. 40 per hectare per year will be deposited in the Government Treasury in the appropriate head of account. The remaining amount of Rs. 160 will be deposited with the concerned F.F.D.A. The amount of Rs. 160 will be used for purchase of fish seed from the Government Fish Farm/O.P.D.C. farms for rearing in captive nursery and stocking in the reservoir every year. Collection of this fee will be done in one instalment. In case of any particular reservoir where there is no existing P.F.C.S., the District Level Fisheries Officers concerned will take immediate steps to form P.F.C.S./ Societies.

3.2. Where no P.F.C.S. can be formed or the existing P.F.C.S. do not show interest in taking reservoir on lease, the said reservoir will be leased out to private individuals/entrepreneurs/public undertakings/registered companies through open auction or sealed tenders and in that case the entire lease value would be deposited in the State Government account. In case the lessee is other than the P.F.C.S./ Societies, the entire stocking responsibility should be with the private individual. In case of open auction, the auction will be conducted by the D.F.O./A.D.F. in charge of the district. In case of sealed tenders, the tenders will be called and opened by the concerned D.F.O./A.D.F. in charge of the district. The open auction/tender should however be finalized with the approval of the concerned zonal level Deputy Director of Fisheries. The lessee/successful tenderer shall have to engage genuine fishermen members of the P.F.C.S./fishermen of the locality for exploitation by paying fishing wages equivalent to one third of the market value of the fish caught by the fishermen. However, the Fisheries and A.R.D. Department shall have the right to reserve any water body for research, training, extension and collection of brood stock.

3.3. Operation of any mechanized/motorized fishing boat in the reservoirs shall require prior permission of the Fisheries and A.R.D. Department. Permission granted, if any, by the Fisheries and A.R.D. Department shall be forthwith communicated to the Water Resources Department.

3.4. No fishing shall be allowed within five hundred metres from the dam, from the upstream as well as downstream in case of large reservoirs, 200 metres upstream/downstream in case of Medium and 100 metres upstream/downstream in case of minor reservoirs.

3.5. There shall be no restriction on the activities of the Water Resources Department for operating reservoirs for irrigation purposes and no prior permission from the Fisheries and A.R.D. Department shall be needed for the same.

3.6. No permanent or temporary structure of any type shall be erected in the reservoir or in its periphery by the Fisheries and A.R.D. Department for taking up pisciculture without the prior approval of the Water Resources Department.

3.7. The fishing operation in the reservoirs shall be done in such a manner as not to endanger the structure of the reservoir in any way.

3.8. Regular monthly returns on quantity of fish caught in each of the reservoirs transferred/to be transferred to Fisheries and A.R.D. Department shall be submitted to the Water Resources Department.

3.9. Royalty shall be collected alongwith the lease value by Fisheries and Animal Resources Development Department @ Rs. 10, Rs. 20 and Rs. 40 per hectare of Mean Water Spread Area (MWSA) per annum for Major, Medium and Minor reservoirs respectively. This rate may be revised from time to time through joint discussion between the authorities of Water Resources Department and Fisheries and Animal Resources Development Department. Royalty so fixed shall be credited in favour of Department of Water Resources Development Department before closure of each financial year.

3.10. The lease amount to be paid to Water Resources Department would be deposited in the following head of account :-

(i) **Royalty from Major Irrigation Reservoirs**

"0701-Major and Medium Irrigation-01-Major Irrigation Commercial-800 other receipts-royalty from Major Irrigation Reservoir given for fishery"

(ii) **Royalty from Medium Irrigation Reservoirs**

"0701-Major and Medium Irrigation-03 Medium Irrigation Commercial-800-other receipts-royalty from Medium Irrigation Reservoir given for fishery"

(iii) **Royalty from Minor Irrigation Reservoirs**

"0702-Minor Irrigation-800-other receipts-royalty from Minor Irrigation Reservoir given for fishery".

3.11. The lease value to be collected by Fisheries & A.R.D. Department from Primary Fishermen Co-operative Societies or private individuals would be deposited in the following Receipt Head :-

"0405 Fisheries-011 Rents-deposit of lease value received from Primary Fishermen Co-operative Societies and others for lease of the Fishery Reservoirs"

4. LEASE/AUCTION PERIOD

In all the above cases, the initial lease/auction period shall be for five years. The lease period may be extended up to another five years, subject to satisfactory performance of the lessee/auction holder.

In case of unsatisfactory performance and violation of stipulated terms and conditions, the lease/auction shall be cancelled at any time with due notice. Settlement of all lease/auctions shall be done through execution of approved agreement.

5. MANAGEMENT STRATEGY

In case of existing reservoirs, where there is no such captive fish seed rearing centre, the Water Resources Department may hand over required piece of land, if available, to the Fisheries and A.R.D. Department for the same purpose.

6. POST IMPOUNDMENT DEVELOPMENT STRATEGY

6.1. Under no circumstances, drainage of water below the dead storage level (DSL) of a reservoir shall be allowed except under emergency situation. Priority would be given to the supply of Irrigation water for agriculture over fishery.

6.2. The Fisheries and A.R.D. Department can avail tax free water from any reservoir, at the time of need, for pisciculture practices after obtaining approval of Water Resources Department.

6.3. Although setting of gill nets in the reservoir shall be allowed during night hours, harvesting of fish and thoroughfare within the reservoir area shall be disallowed due to security reasons from 06.00 P.M. to 06.00 A.M.

6.4. The Water Resources Department and Fisheries & A.R.D. Department shall jointly prepare "Reservoir Development Plan" in respect of each reservoir for fisheries development. In this matter the services of National Research Institute and other allied Institutions may be taken.

7. CONSERVATION MEASURES

7.1. There shall be ban on catching of brood stock of Indian Major carps and any other economic species to be specified by the Fisheries and A.R.D. Department from time to time during monsoon i.e. from 15th June to 31st August to allow every fish to breed at least once during its lifetime.

7.2. Capture and sale of Indian Major Carps below 250 mm total length shall be banned in order to prevent indiscriminate killing of young fish population.

7.3. Gill net below 100 mm stretched mesh size shall be banned for operation throughout the year.

7.4. Dynamiting and use of other explosives shall be prohibited for catching/killing of fish.

7.5. Use of poisons and toxins in the water body shall be banned.

7.6. Erection of fixed gears i.e. set nets, gill nets, traps, bamboo screens etc. across the stream watercourse draining into the reservoir shall be banned.

7.7. Fisheries & A.R.D. Department shall have the right to declare any part of the reservoir as protected area for a particular period.

7.8. Unauthorized fishing in the reservoir is illegal.

7.9. Industrial effluents/sewerage discharge into the reservoir without proper treatment shall not be permitted.

7.10. No exotic fish shall be introduced in the reservoir without prior permission of the Fisheries & A.R.D. Department with a view to preserving genetic purity and germ plasma of the indigenous strain.

8. ENFORCEMENT MEASURES

Fisheries & ARD Department shall declare officers in the rank of Fishery Extension Officer/ Inspector of Fisheries and above as "Authorized Officers" for enforcement of the above conservation measures and they shall be delegated with the following powers :-

8.1. Powers to inspect any fish, fishery product, fishing crafts, gears, plants, machinery, hatcheries, fish landing platforms/ sheds, jetties etc.

8.2. During the course of inspection, if an authorized officer detects unauthorized fishing from a Reservoir, the authorized officer may take charge of the stock so caught and dispose of the stock in the open market at the prevailing price. The authorized officer shall thereafter lodge an F. I. R. in the nearest Police-Station.

9. EVALUATION

Need based evaluation may be conducted at an interval of five years by an independent Agency of national repute on the effect of the Policy in Reservoir Development.

Sd/ A. K. Tripathy

Commissioner-cum-Secretary to Government
Fisheries & ARD Department

Annexure-I

"This is to certify that.....nos. of trees/ stumps are found to be existing in the reservoir. During this year (Specified period).....nos. of trees/ stumps have been cleared andnos. of trees/ stumps are found to be standing in the reservoir".

Signature of the
District Level Fishery Officer

Signature of the
Executive Engineer

Countersignature of the
District Collector.