

M. KARUNANIDHI
CHIEF MINISTER



SECRETARIAT
CHENNAI - 600 009

Date: 19-11-2009

Dear Sir,

I wish to bring to your kind notice the apprehension of the Tamil Nadu fishermen on the draft Marine Fisheries (Regulation and Management) Act 2009, which is aimed at regulating fishing activities in the Exclusive Economic Zone (EEZ) beyond territorial waters. Though the State Government have already communicated, its remarks on the draft bill, it appears that the same have not been incorporated in the draft bill.

The main apprehensions of the fishermen of the Tamil Nadu State are that the bill has been drafted without taking into consideration the views of the stakeholders and that the penalty clauses are very severe. The fishermen are of the view that conditions stipulated in the bill for fishing beyond 12 NM are too severe and impracticable.

In this context, I would like to inform you that the Marine Fishing Regulation Act/Marine Fishing Regulation (MFRA/MFR) rules are being implemented in almost all the maritime states, including Tamil Nadu. The Tamil Nadu Marine Fishing Regulation (TNMFR) Act 1983 (Act 8 of 1983) regulates, monitors fishing activities within the territorial waters of the State. I would like to list out the provisions of the draft bill which are considered detrimental to the fishermen of the State.

CHAPTER -1. OBTAINING PERMIT FOR FISHING BEYOND TERRITORIAL WATERS:-

The draft bill stipulates (Clause 1 page No.4) that any Indian fishing vessel shall require a specific permit for undertaking any fishing activity in any maritime zone outside the territorial waters. This implies that though fishermen who are issued fishing licenses to operate within the territorial waters of the State are not allowed to fish beyond 12 nautical miles without getting another license under the above Act. In as much the fishery resources in the inshore area have been almost completely exploited, the fishermen who have benefited by the motorization scheme, (under the Centrally Sponsored Scheme(CSS) and mechanized fishing crafts, (below 15 m Overall Length (OAL) are venturing into the sea beyond 12 nautical miles for exploiting the under exploited offshore fishery resources. The above clause in the draft bill will pave way for duplication of licensing system and create confusion and compound the misery the fishermen community is going through now. It is also not practically possible to prevent physically the fishermen, fishing beyond 12 nautical miles, in the absence of clear-cut geographical zoning.

I therefore request you to ensure that deep sea fishing vessels registered under the Merchant Shipping Act/ Mercantile Marine Department (MMD) alone are brought under the above clause.

CHAPTER 4. FISHERIES MANAGEMENT PLAN: Sub clause (m)

The State Government have already requested to add a provision to the clause stating that the views of the State Government concerned may be obtained in the interests of the fishing community.

CHAPTER IV-OFFENCES AND PENALTIES:

The provisions made in the draft bill in the above chapter, has led to unrest among the fishermen community as penal provisions imposed are harsh and heavy, for vessels fishing beyond 12 nautical miles. Such straying of vessels beyond 12 nautical miles is allowed upto two times, in each period of three consecutive months.

Further, a penalty of Rs.9.00 lakhs has been proposed to be imposed for any vessel fishing without permit beyond territorial waters. This has also led to fishermen to protest vociferously as no fishing boat can fish even in Indian waters beyond 12 nautical miles. This is against the schemes that are being implemented by Government of India/State Government, for encouraging fishermen to tap the under exploited offshore resources for commercial species like Tuna which fetch substantial foreign exchange.

I therefore request you to kindly consider my above concerns and it is suggested that the views/suggestions of all State Governments/stakeholders are taken into consideration and broader consultation process initiated to finalize the draft bill prior to placing the same before the appropriate forum.

As the fishing activities in Palk Bay area of Tamil Nadu are already affected due to the harassment of the fishermen by the Sri Lankan Navy and as the marine fish production is already exhausted in territorial waters, the introduction of this bill without consulting the fishermen community and other stakeholders will have wider implications. Hence, I request you to initiate a wider dialogue with concerned stakeholders for bringing a legislative which is an inclusive and progressive one. I therefore request for your immediate intervention in this issue.

Kind Regards

Yours sincerely,

M. Karunanidhi

(M. KARUNANIDHI)

To

Thiru Sharad Pawar,
Hon'ble Union Minister of Agriculture & Consumer Affairs,
Food & Public Distribution,
Government of India
New Delhi.

வெளியீடு, இயக்குநர்.
செய்தி, மக்கள் தொடர்புத் துறை
கலைமைச் செயலகம், சென்னை