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| 5. Representative of Institute of Life Sciences,
Bhubaneswar, Odisha. | Member |
| 6. Head, Gene Bank, Odisha University of Agriculture
& Technology (OUAT), Bhubaneswar. | Member |
| 7. Senior Scientist (R.S), Science & Technology
Department, Government of Odisha. | Member-Convenor |

This Resolution shall come into force with immediate effect.

ORDER—Ordered that this Resolution be published in the *Odisha Gazette*.

By order of the Governor

WILLIAM BILUNG

Additional Secretary to Government

No. 9726—1-Fy(M)-22/2012-FARD

GOVERNMENT OF ODISHA
FISHERIES & A.R.D. DEPARTMENT

RESOLUTION

The 18th September 2012

SUBJECT—State Reservoir Fishery Policy Odisha, 2012

In supersession to this Department Resolution No. 19647—1-Fy(M) -22/2012-FARD., dated the 8th October 2003, the State Government, after careful consideration have been pleased to amend the "STATE RESERVOIR FISHERY POLICY" aiming at scientific development of fishery in the reservoirs of the State and for generation of employment through strengthening of the primary co-operatives operating for exploitation of fishery in open water bodies like reservoirs of the State. The major objectives of the "STATE RESERVOIR FISHERY POLICY ODISHA, 2012" after current amendment aims at scientific management of vast and valuable reservoir resources are as follows : —

- I. To augment fish production from the vast untapped/undertapped 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 increased investments from private as well co-operative sector
- V. To stimulate entrepreneurship for fishery sector with special reference to reservoir fishery.
- VI. To substitute traditional methods by the introduction of advanced technology in operation of reservoir fishery.

VII. To upgrade skills among fishermen/fisherwomen being engaged in the reservoir operation and organizational strengthening.

VIII. To generate substantial revenue for the State

2. For effective management of the reservoirs, fishing rights of all reservoirs above 40 hectares (100 acres) Mean Water Spread Area (MWSA) shall be vested with Fisheries & A.R.D. Department and in turn leased out to the Primary Fishermen Co-operative Societies (P. F.C.S.) registered under Odisha Co-operative Societies Act, 1962 or Societies registered under Odisha Self-help Co-operative Societies Act, 2001 (SHG). Preference shall also be given to displaced persons/project affected persons, who are poor and interested in becoming active fishermen in conferment of fishing rights.

3. They shall come in to force on the date of their publication in the official Gazette of the Government of Odisha.

This amended "STATE RESERVOIR FISHERY POLICY ODISHA, 2012" is annexed.

ORDER—Ordered that the Resolution be published in the *Odisha Gazette* for general information.

By order of the Governor

SATYABRATA SAHU

Commissioner-cum-Secretary to Government

STATE RESERVOIR FISHERY POLICY ODISHA, 2012

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. Odisha 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 1,830 metric tonnes and 9.3 kg. per ha., 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 kg/ha. respectively. Thus the major objectives 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/undertapped 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) Mean Water Spread Area (i.e. Average of Water Spread Area at Full Reservoir Level - FRL and Dead Storage Level - DSL) shall be vested with Fisheries & ARD Department. The fishing rights of all reservoirs up to 40 hectares Mean Water Spread Area (MWSA) shall be transferred to respective Gram Panchayats for leasing them out to Primary Fishermen Co-operative Societies (P.F.C.S.) registered under Odisha Co-operative Societies Act, 1962 or Societies registered under Odisha Self-help Co-operative Societies Act, 2001 (SHG) etc. Transfer of fishing rights to the Fisheries & ARD 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 shall be transferred with immediate effect to the Fisheries and ARD Department of Government of Odisha. Fisheries and ARD Department shall 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 shall be subject to the following conditions :—

1.2. (i). The safety of Irrigation Project Reservoir should in no way be jeopardized as a result of fishing activity. The field level Fishery Officers and the lessee shall co-operate with their counterparts in the Water Resources Department to maintain highest safety standard in the Project.

1.2 (ii). Stumps shall be cleared by the Water Resources Department 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 concerned District level Fishery Officers and the Executive Engineer, Water Resources Department in the *pro forma* given in the Annexure-I to the effect that, stumps have been fully or partly cleared from the reservoir. In case of new reservoirs are created, the Water Resources Department will ensure clearance of stumps at the time of impoundment.

1.2 (iii). Steps should be taken to provide basic infrastructure in the existing irrigation project to facilitate fishing activities in the Reservoir like Fish Landing Shed, Captive Hatchery, Captive Nursery, Fry Rearing Centre as per fingerling requirement, a multipurpose building of 2,000 sq. ft. plinth area (for community hall, repair and maintenance of gears, store room for fish and ice) and a patrol boat wherever necessary. In case of all fresh proposals for Irrigation Projects for renovation and new projects, provision should be made by Water Resources Department for making available the aforesaid infrastructural facilities (fish ladder wherever necessary) in consultation with the District Level Fishery Officer.

1.2 (iv). The Fisheries Department shall take steps for rearing of fish seed of over 100mm size in the Captive Nursery/Pen/Cage and fry rearing area for stocking. To ensure additional fish production, cage culture shall be taken up in potential reservoirs of the State.

1.2 (v). A Co-ordination Committee at the District level may be set up under the Chairmanship of the Collector of the respective District with the following members :—

- (a) Superintendent Engineer in-charge of the concerned Irrigation Project
- (b) Executive Engineer of the concerned Irrigation Project
- (c) Zonal Deputy Director Fishery of the concerned zone
- (d) Assistant General Manager, NABARD
- (e) Tahasildar of the concerned Tahasil
- (f) District Level Fisheries Officer (Member-Convenor)

During the year, this Committee should meet at least once in every quarter and take necessary decisions for improvement of Reservoir fishery in a co-ordinated manner.

2. Classification :

Basing on the Mean Water Spread Area of the reservoirs, the following classification is made :—

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| (i) 10 hectares to 1000 hectares
(Category - A - 10 to 40 ha)
(Category - B - 41 to 1000 ha) | .. | Minor Reservoir |
| (ii) 1001 hectares to 5000 hectares | .. | Medium Reservoir |
| (iii) Over 5000 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. (i) The reservoirs of the large, medium and minor irrigation projects, the fishing rights of which has been transferred to Fisheries & ARD Department shall lease out in order of preference to the nearest Primary Fishermen Co-operative Society (P.F.C.S.)/Societies formed under the Odisha Co-operative Societies Act, 1962 or Society/Societies registered under the Odisha Self-Help Co-operative Societies Act, 2001 or SHG recognized by District administration. Preference shall be given to displaced persons/project affected persons (who are poor and interested in becoming active fishermen) to be the members of the existing or proposed PFCS/SHG. In case, a particular reservoir is leased out to more than one P.F.C.S./S.H.G., the area allotted to each P.F.C.S./S.H.G. should be identified properly to avoid any dispute in future.

A lease value of Rs. 60 per hectare per year shall be charged to the P.F.C.Ss./S.H.Gs. for fishing in Minor reservoirs. This amount shall be deposited by the concerned P.F.C.S/S.H.G. in one installment with the Fisheries and ARD Department, which in turn shall deposit the amount of Rs. 60 per hectare per year in Government Treasury in appropriate head of account. The P.F.C.S./S.H.G. shall deposit another Rs. 240 per hectare as seed cost in the concerned Fish Farmers Development Agency (FFDA). However, if District Level Fisheries Officer certifies that the PFCSs shall rear and stock required number of fingerlings on their own, seed cost shall not be collected. Wherever necessary or where no rearing space is available, required number of fingerlings can be ensured from Government/Odisha Pisciculture Development Corporation Ltd. (OPDC) Farm or from recognized seed producers.

In case of medium reservoirs, the lease value shall be Rs. 20 per hectare per year which shall be deposited in the Government Treasury in the appropriate head of account. The Department shall give technical assistance to the PFCSs/SHGs for rearing/raising of the fingerlings in captive nursery and ensure stocking of required number of fingerlings from Government farms/OPDC farms/recognized private seed suppliers. Collection of lease amount shall be done in one installment. In case of any particular reservoir, where there is no existing P.F.C.S./S.H.G., the District Level Fisheries Officers concerned shall take immediate steps from P.F.C.Ss./S.H.Gs.

In case of large reservoir, the lease value shall be Rs. 10 per hectare per year, which shall be deposited in the Government Treasury in the appropriate head of account. The Department shall give technical assistance to the PFCSs./SHGs. for rearing/raising the fingerlings in captive nursery and ensure stocking of required number of fingerlings from Government farms/OPDC farms/private seed suppliers. Collection of lease amount shall be done in one installment. In case of any particular reservoir, where there is no existing P.F.C.S./S.H.G., the District Level Fisheries Officer concerned shall take immediate step to form P.F.C.S./S.H.G.

(ii) In medium & large reservoirs, fishing regulation during the breeding season promotes auto-breeding of major and minor carps. This results in fresh recruitment of fingerlings into the reservoir system. Therefore, stocking of fingerlings is not be required.

(iii) In case of medium & large reservoirs, lease value shall be based upon Effective Fishing Area (E.F.A.) available for the PFCS. If necessary, the fishing area shall be split and suitable demarcation shall be done to finalize effective fishing area as per the recommendations of the Co-ordination Committee.

3.2. (i) Where no P.F.C.S./S.H.G. can be formed or the existing P.F.C.S. do not show interest in taking reservoir on lease, the said reservoir shall 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 Fisheries & ARD Department receipt head, as stated in the Para 3.11 after deducting the royalty, which in turn shall be deposited in the receipt head of the Water Resources Department as per Para. 3.10. When the lease is settled with persons/agencies other than the P.F.C.S./S.H.G., the entire stocking responsibility should be with the private individual/agencies. In case of open auction, the auction shall be conducted by the District Fisheries Officer (DFO) in charge of the district. In case of sealed tenders, the tenders shall be called and opened by the concerned Zonal Deputy Director of Fisheries. However the open auction/tender should be finalized with the confirmation of the Director of Fisheries, Odisha, in case of Medium and Minor reservoirs and Government in Fisheries & ARD Department in case of Large reservoirs. The lessee/successful tenderer shall have to engage genuine fishermen of the locality (where no such P.F.C.S./S.H.G. exists) for exploitation by paying fishing wages equivalent to one-third of the market value of the fish caught by the fishermen. The market value of the fish shall be fixed up by the District Fisheries Officer of the concerned district. Where the members of local PFCS does not co-operate or agree for exploitation of fish from the reservoir, the lessee can take up exploitation at his own arrangement after getting written permission from the Director of Fisheries, Odisha on the recommendation of the Zonal Deputy Director of Fisheries. Whenever the highest auction call or the highest value offered for the source is less than the offset price of the resource, the matter shall be referred to the Fisheries & ARD Department by the Director of Fisheries, Odisha for lowering the offset price.

(ii) Failure in the above mentioned process of leasing to PFCS or tenderer, licensing system may be adopted for operation of fishing activities in the reservoirs. Fisheries & ARD Department shall publish detail notification on the modalities of licensing system.

(iii) Fisheries and ARD 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 ARD Department. Permission granted, if any, by the Fisheries and ARD Department shall be forthwith communicated to the Water Resources Department.

3.4. No fishing shall be allowed within five hundred meters from the dam from the upstream as well as downstream in case of Large reservoirs, 200 meters upstream/downstream in case of Medium and 100 meters 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 ARD 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 & 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 & ARD Department shall be submitted to the Water Resource Department.

3.9. Royalty shall be collected along with 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 Large, 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 ARD Department. Royalty so fixed shall be credited in favour of the Department of Water Resources before closure of each financial year.

3.10. The royalty to be paid to Water Resources Department would be deposited in the following head of account :—

3.10 (i). Royalty from Large Irrigation Reservoirs :

"0701—Major and Medium Irrigation —01 large Irrigation Commercial—800 other receipts— Royalty from Major Irrigation Reservoir given for fishery".

3.10 (ii). Royalty from Medium Irrigation Reservoirs :

"0701—Major & Medium Irrigation—03 Medium Irrigation Commercial—800 other receipts— Royalty from Medium Irrigation Reservoir given for Fishery".

3.10 (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 & ARD Department from Primary Fishermen Co-operative Societies/SHGs or private Individual 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. The lease agreement should be executed by the concerned District Fisheries Officer.

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. The period of lease shall be counted from the date of execution of the lease agreement and lease amount shall be due from the date of confirmation of the agreement. The execution of lease agreement shall be made after confirmation by appropriate authority.

5. Management Strategy :

In case of existing reservoirs, where there is no such captive hatchery, fish seed rearing centre, Fish Landing Shed, the Water Resources Department may hand over the required piece of land, if available, to the Fisheries and ARD 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 ARD 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 & ARD Department shall jointly prepare "Reservoir Management Plan" keeping in view the Mean Water Spread Area (MWSA) in respect of each reservoir for fisheries development. In this matter, the services of National Level Research Institutes and other allied Institutions may be taken.

7. Conservation Measures :

7.1. There shall be ban on fishing in selected area i.e. from the 15th June to the 31st August to allow every fish to breed at least once during its lifetime in Medium and Large Reservoir. However, Director of Fisheries, Odisha may grant permission for fishing during the ban period for undertaking research/training/experimental fishing under special circumstances.

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 not be used for fishing operation throughout the year. There shall be a complete ban on use of zero net (8 to 10 mm mesh size) 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 & ARD Department shall have the right to declare any part of the reservoir as protected area for a particular period.

7.8. Unauthorised 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 & ARD Department, with a view to preserve genetic purity and germ plasm of indigenous strain.

8. Enforcement Measures :

Fisheries & ARD Department shall declare Officers in the rank of Assistant Fisheries Officer (AFO)/Senior Fisheries Technical Assistants (SFTA) and above or any other designation as decided by Government, from time to time, 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.L.R. in the nearest Police Station.

9. Monitoring & Evaluation :

Regular monitoring and evaluation shall be made to assess various aspects connected with Reservoir Fishery, so as to initiate timely action to address important issues with the help of independent Agencies of National repute on the effect of this Policy on Reservoir Development.

ANNEXURE I

"This is to certify that _____ numbers of trees/stumps are found to be existing in the reservoir. During the year (specified period) _____ numbers of trees/stumps have been cleared and _____ numbers of trees/stumps are found to be standing in the reservoir".

Signature of the
District Fisheries Officer

Signature of the
Executive Engineer

Signature of the
District Collector

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