CHAPTER FOUR
CHILIKA FISHERY RESOURCES AND CONFLICTS:
HISTORICAL AND CONTEMPORARY PERSPECTIVE

4.1: Introduction

Chilika ecology is suffering due to poorly defined property rights, increasing fishing effort and decreasing catches. As a result conflict of interests is quite common in the region. Fisheries play an important role in the local economy and provide food, income and employment for large sections of the population. However, the framework within which these operate is often complex and vulnerable to failure. The absence of clearly defined property rights, the trade-offs between national and local needs and the impact of rising pressures on the economy can, however, all contribute to the failure of fisheries to positively contribute to the development process.

Chilika fishery has seen different institutional regimes. The conflict in fisheries arises due to resource scarcity and consequent dispute in resource use and management. Over the years the apathetic role of the State Government aggravates the conflict scenario in and around Chilika. In Chilika, three types of conflict have been identified. First, conflict between the fisherfolk and refugees; second, fisherfolk and non-fisherfolk and third among different castes of fisherfolk. The conflict between fisherfolk and non-fisherfolk is due to the capture fishing and introduction of prawn culture by the latter. The introduction of prawn culture has threatened the livelihood of fisherfolk as well as the ecosystem of the lake.

4.2: Conflicts: A New Institutional Economics Perspective

Conflict is a situation of non-cooperation that involves groups of people with differing goals and objectives. A review of the conflict literature reveals numerous theoretical approaches to describing and explaining conflict. Conflict is a function of
social structure (sociology), of power or class relations (political science) and of individual utility maximisation (economics). It is positive and negative, constructive and destructive (Powelson, 1972), violent, coercive and non-violent (Wallace, 1993). Economic theory provides two reasons why conflicts emerge over natural resources: a) the allocation of scarce resources requires trade-offs which become increasingly difficult as the demand for and supply of resources changes and b) short-term personal gain wins out over long-term social needs or benefits. A third explanation for the emergence of conflict has also arisen from the New Institutional Economics (NIE) School, this observes institutions and transaction costs as a key element.

An explanation for the emergence of conflict has arisen from the New Institutional Economics School. From a new institutional economics perspective, institutions exist to minimise transaction costs. Transaction costs are the costs involved in negotiating a transaction. Transaction costs are the costs associated with gaining information, making decisions and carrying out decisions (Abdullah et al., 1998). In terms of fisheries, they can be divided into the ex-ante costs of collecting information and making collective decisions in the fishery and the ex-post costs associated with implementing collective decisions. Kuperan et al., (1999) argue that transaction costs in fisheries arise, mainly from the fact that the fishery involves multiple stakeholders with differing objectives and long-term goals. Institutions also emerge as a means of transcending the social welfare dilemmas that arise out of individual action and help maximise collective welfare (Bates, 1998). In terms of common property resources where collective action is vital but expensive, efficient and effective institutions are very important.

---

1 Extensive debate exists as to the definition of institutions. Broadly, an institution is a set of rules that govern behaviour. However the problems of definition become acute when one attempts to differentiate between institutional types. Olson (1971) refers to organisations, when he could in fact be speaking about institutions; North (1990) prefers to differentiate between organisations and institutions, arguing that institutions are the rules of the game of a society whilst organisations are the players. Institutions could be divided by their degree of formality. Formal institutions are the rules used by authority to shape a particular form of behaviour; informal institutions are the rules that individuals use to shape their own behaviour.
Using the New Institutional Economic paradigm and the supply of and demand for institutional changes, it could, therefore, be argued that a rise in transaction costs, over and above the institution’s ability to accommodate this change leads to inefficient operation. This rise in transaction costs could be due to development pressures (political and economic), environmental scarcity (perceived or otherwise) and structural problems (political and economic) which increase the costs of collective decision making, information gathering and collective operation.

In the case of fisheries management, there is a need for strong and flexible institutions at both the national and local level. Arguably, the more strong the structure, the lower the transaction costs and the more efficient the institution in its allocation role.

In Chilika, although, much has been studied about sharing of fishery resources and conflict, little is understood about how these conflicts emerge, develop and are managed. In an attempt to improve the understanding of conflicts, this chapter examines the role of institutions in the process (State policies to local level norms), market pressure for prawn culture, role of people’s movement/collective action and perception of the communities on issues related to conflicts/disputes. In the case of Chilika, the traditional evolved fishing practices have been disturbed, the legitimacy of the concern organization/body to allocate fishery sources is often missing or contested (by non-fisherfolk) and political factions and the action of rent-seeking elites influence the vertical relationship.

**4.3: Function of Fishing Activities in Different Regimes**

**4.3.1: Institutional Arrangement before Colonial Period**

Panda (1928) documented a history of Parikud (Chilika in a chronological order since 1565). He mentioned that there were not major instances of conflict regarding the resource use. Conflict in resource use is a recent phenomenon. During Mughal rule the king of Parikud and Khallikot were enjoying the land and Chilika
without any tax payments. In the eastern parts of the Chilika there were five Pragannas or Jagir Mahal. Earlier those Jagir Mahals were with Maratha rulers. But Mughal Badshah Akbar gave areas like Parikud (eastern part of Chilika, Bajrakot (south eastern), Andhari (north) and entire Chilika to the first king of Banpur, (they were ruling in the Bankada Garha) Jaduraj Mansigh (Panda, 1928). But during Maratha period five kings or Jamidars were there. Only Parikud and entire Chilika was with king of Banpur. Those days the communities were enjoying the fishery resources without paying any royalty to the king.

Panda (1928) in his book Parikuda written when the king of Khurda Birakishor Dev invaded Banpur in 1783, king of Banpur Harisebak Mansigh left Banpur and took refuge in the Island of Chilika called Gurubai. Panda mentioned that before that a few Kandara and Nola community were staying. The king took his subjects to the Parikud and gave lands to them. In that period the King did not have enough funds to sustain his state. Therefore, he started levying tax to the communities. All the fisherfolk were enjoying the prior-appropriation rights over the fishery resources after giving royalty to the king. The fish was in abundance and more and more people came from Banpur, Khurda and Khallikot and started fishing and salt making activities. These two activities were major livelihood practices of the communities in and around Chilika. There is a popular saying, “Parikudare malle, maile Kaudi” i.e., people were getting good fish catch and good salt preparation (Panda, 1928). The king of Parikuda took all the Pakas and Khandayats to the new kingdom at Gurubai Chilika. The king had provided house and agricultural lands to them.

After the death of King Harishebak Mansigh, his son Bhagirathi Mansigh becomes the king of Gurubai in 1795 (Panda, 1928). The new king built a palace in Parikud-Krishnprasad Garh. In that period he also maintained the tax collection system introduced by his father.

But in 1803 British invaded Orissa. There was no road to Puri. People used to go through the sand band of Chilika and Bay of Bengal. And in the road there was a Maratha Jamadar named Fateh Mahammed who used to take care of the travellers. It
is said that when the British troops reached from Ganjam in 1803, to conquer Orissa, Fateh Mahammed undertook to guide the army across the swamp of Chilika, and in addition says he was promised every village through the troop passed and that their fate was, in consequence somewhat circuitous (Hunter, Vol. I - cited in Panda 1928). After that the British Government asked the king of Parikud to pay the tax for the land and Chilika. That time also the communities were having prior-appropriation rights over the Chilika fisheries resources.

4.3.2: The Great Orissa Famine and Communities around Chilika

In 1866, Orissa faced the great famine of all time. That time the king was Chandra Shekhara Mansigh. This famine is locally known as *Na-Anka Durbhikhya*. This is because the famine occurred when the king Divyasigh Dev was ruling in his 9th year. The famine of 1866 put a finishing stoke to the fortune of Parikud (Hunter, Vol. I - cited in Panda, 1928). On the 25th November 1866 the collector of Puri telegraphed to the board of Revenue, to the effect that starvation was occurring at Parikud and Malud, that the number of deaths was increasing, and that general destitution prevailed (Gazetteer of Puri). The previous failure of crops of 1864, drought of 1865, and the terrible inundation of August 1966, all combined to make the famine more severely felt in Puri than in any of the district. The then king helped the people in those eighteen months of famine (Panda, 1928). A total of 5375 people died and 1250 people migrated to the other parts of Orissa (Panda, 1928). That period the communities enjoyed the fishery resources without tax.

4.4: Fisheries Management after the Abolition of Zamindari System

The fisheries of Chilika were part of the federal states of Parikud, Khallikote and Jagirdars. The zamindars used to lease out the fisheries exclusively to the local fisherfolk. Before the zamindari system, Bheti system was there (fisherfolk had to surrender all fish catch in specific day). The British also started a Cooperative store in
Balugaon in 1926, to provide fishing equipment to locals. In order to protect the interest of fishermen and eliminate the non fisherfolk and traders encroaching on the rights of the fishermen, the first co-operative society, Balugaon Fishermen Co-operative Store, was established in 1926 at Balugaon, in the then Puri District (now Khurda District). It brought 24 fisheries under it. In addition, the British constituted 25 Primary Fishermen Cooperatives during the Second World War (www.chilika.com,). But after the abolition of zamindari system in 1953, the fishery resources of Chilika were assigned to the Revenue Department of Government of Orissa. During 1953-59, through open auction the fishery resources of Chilika were leased out by the ‘Anchal Adhikari’ of Chilika. The non-fishermen were allowed to take a limited number of dian fisheries and in some cases a few jana fisheries. Besides the un-leased bahani areas were open for the non-fishermen to catch fish by paying nominal fees to the government. In 1959, the Central Fishermen Cooperative Marketing Society (CFCMS), under the Chilika Reorganisation Scheme, got lease on the various fishery resources from the revenue department of Government of Orissa and in turn sub-leased them to Primary Fishermen Cooperative Societies (PFCS). A dual co-operative structure was thus established to protect and regulate the fishing right of the people. The Central Society was to take lease from the Revenue Department through the Collectorate of Puri and Ganjam to sublease them to primary co-operatives at that time numbering 48. Most of the important fishery sources were subleased to the primary societies. In case there was no primary society dian fisheries were subleased to villages dominated by fishermen. Those sources, which were not taken on lease by the Central Society, were auctioned. The tehsildards (government officials from the revenue department operating at the block level) of Puri, Krushnaprasada, Banpur and Ganjam had the right to settle the un-leased fisheries through auction. The Chilika reorganisation scheme thus made a clear cut distinction between fishermen and non-fisherfolk and gave non-fisherfolk limited right on the lake. In 1965 and 1974, the state government reiterated the fact that the fisherfolk in Chilika Lake have traditional fishing rights and all fishing sources would be settled in favour of PFCSs.
The history of institutional changes of Chilika fisheries is undergoing continuous changes. Table 4.1 gives the details of the functioning of the fishing activities in different regimes. The fishing rights and fisheries management system had shifted from a royalty system to a cooperative system. The non-fisherfolk were given fishing licenses for their consumption purpose only locally called as ‘Chuli Munda’. These leases prohibited them to exploit fishing activities for marketing purpose. During 1959 to 1988, ninety-six such leases were existing (Kadekodi and Gulati, 1999). In 1980s, there was marked shift in the fishing activities in Chilika. Both fisherfolk and non-fisher folk have started prawn fishing with the rising prices of shrimp. Traditional techniques of fishing are gradually setting replaced by pen and cage culture.

Till 1988, however, there was no clear demarcation of fishing sources, type of net to be used, and barricades to be set up to catch prawn. This resulted in considerable difficulty for the primary societies to operate. There was a dispute between fishermen inhabiting the upper and lower regions of the lake. The fishermen in the upper regions had fixed very lengthy barricades, which obstructed the flow of fish to the lower region. Following this dispute the 1988 policy demarcated the fishery sources; it also increased the annual lease of fisheries to three years.

In 1991, the Government of Orissa issued an order which divided the fisheries in Chilika into two categories - capture and culture - without however, adequately defining the meaning of the terms. Capture rights were confined to the fishermen and culture was opened to the non-fishermen and those villages, which were not member of primary societies. Since the government order did not lay down any guidelines for the operation of capture and culture fisheries, the Collector was free to act according to his discretion. This policy created further confusion and conflict. The fishermen feared that their traditional rights were being curtailed by leasing out culture sources to the non-fishermen.
Table 4.1: Understanding Institutional Changes in Different Regimes

<table>
<thead>
<tr>
<th>Regimes</th>
<th>Specificity</th>
<th>Effect</th>
</tr>
</thead>
</table>
| **Colonial**             | Under the zamidari estate  
In 1926 British started a cooperative store at Balugan  
During 1940s British constituted 25 PFCS  
Fishing activities came under the Jurisdiction of revenue department (state government).  
During 1953-59, open auction by Anchal Adhikari of Chilika  
But during 1965-57, Govt tried to give fisheries leases to the Bangali adatdar or fish agent (Mahajan), there was a peoples' movement against this type of arrangement  
1959 CFCMS formed under CRS-sub leased to PCS.  
During 1980s, with the rise in shrimp price both fisherfolk and non-fisherfolk started prawn fishing.  
In 1991, Government of Orissa declared Lease Policy that allowed non-fishing communities  
Then, 36 PFCS challenged the lease policy in the Orissa High Court.  
In 1993, High Court maintained that fisherfolk do enjoy a traditional right and kept provision for fishing right on a limited scale to non-fishing communities.  
In Dec.11, 1996, SCI directed that no aquaculture industries and shrimp culture ponds shall be constructed within 1,000 meters of the Chilika lake.  
In 1999, govt of Orissa suspended the lease (after Soran firing).  
2003, Government started destroying prawn gheris  
December, 2003, Chilika fishery policy, 70:30, i.e. 70 percent to the fishermen and 30 percent to the non-fishermen (now government has sent it for public opinion). | Royalty to Raja of Purikud, Raja of Kalikote, Jagirdars  
Exclusive rights  
Open auction lease mostly to fishermen  
Lease out to Primary Fishermen Co-operative Societies.  
Limited access to Non-fishermen  
Rights to non-fishermen; prawn culture in the shore of Chilika at Sunamuh under ERRP and IRDP scheme Forcible occupation of PFC areas  
1991 - lease policy (provision of culture and capture). Affecting traditional fisheries with the introduction of modern pen and cage culture, leads to social desegregation, conflicts, tension, over exploitation and over fishing |

After the Abolition of Zamindari system 1950s

| Note: PFCS: Primary fisherman Co-operative Society  
CFCMS: Central fisherman Co-operative and Marketing Society |

75
Despite the time and again reiteration by the government that the policies were meant to safeguard the traditional rights of the fishermen, the policies did not yield the desired effect for various reasons - they were ill defined, there was lack of rational and equitable distribution of fisheries; there was widespread illegal subleasing of fisheries and there was no mechanism to prevent it. The Central Society was given limited power and it acted merely as a body between the Revenue Department and the primary societies. The Central Society itself made erratic distribution and illegal subletting. Most primary societies bypassed the Central society and marketed directly through commissioned agents and Mahajans. The very purpose of a dual co-operative structure designed to protect the interest of the fishermen was thus vitiated.

Initially the culturing of prawn began in the peripheral landmass of Chilika. The leased out dan, uthapani, and upland jano fisheries were converted into prawn culture ponds with mud embankment. Later the lake, deeper Chilika, was also enclosed with bamboo poles and net for prawn culture.

Since 1980’s the lake is witnessing widespread subletting of leased out fisheries by the Central Society and the primary societies and illegal encroachment by non-fishermen and outsiders. This culturing of prawn on a big scale has resulted in the widespread conversion of traditional fisheries into prawn culture ponds or net enclosed gheries (barricaded space). Culture fishery requires heavy capital investment but ensures big profit. Hence many primary societies have found it a source of making money by leasing it out to resourceful persons.

This widespread culturing of prawn has threatened the livelihood of traditional fishermen as well as the ecosystem of the lake. Thousands of fishermen and non-fisherfolk families have lost their livelihood due to conversion of traditional fishing sources into culture fishery. Cases of litigation and ‘prawn politics’ now define the lives of the people in Chilika. Besides, large scale obstruction and blockade in the water channels obstructs the free flow of water, free migration of fish juveniles and
loss of grazing ground for the fish. The *gheries* also act as silt trap and accelerate the process of siltation.

### 4.5: Conflict in Resource Use

Water conflicts are not always related to water sharing issues but can also arise out of differences in harvesting the product of water bodies (Deshpande and Bedamatta, 2007). Even though such conflicts do not involve water *per se* as the direct resource, it emanates in the form of harnessing aqua products originating from the water body. Largely, the cause of the dispute is related to the customary rights of the traditional communities. Chilika fisheries present some interesting dilemmas in terms of conflict analysis and property relations. The traditional fisherfolk of Chilika were given customary fishing rights by the king of Parikud the British recognized these rights. But the non-fishing cultivating communities largely handle the trade in fish. In the process of development a large number of neo-fishermen communities settled in the Chilika lagoon region. There are 132 fishing villages and quite a few non-fishermen/neo-fishing villages directly depending on Chilika for their livelihood. During British rule and at the time of settlement in Orissa in 1897-98, exclusive rights of fishing community on fisheries in Chilika were recorded. The fishing as an occupation in Chilika was part of the *Zamindari* estate and prerogative. During these years of exclusive rights, fisherfolk evolved a complex system of partitioning the fishing region of Chilika amongst themselves.

After the abolition of *Zamindari* in 1953, the demarcated traditional fishing areas continued to be leased out to cooperatives of local fishermen. In 1959, the government of Orissa identified four fishing grounds based on earlier experience for an effective management of *Sairats*\(^2\). A cooperative structure was also evolved with Central Fishermen Cooperative Marketing Society (CFCMS). As fishing (particularly prawn fishing) became increasingly remunerative, outside interests began entering the fishing arena. Slowly but surely the leasing system broke down completely.

---

\(^2\) Confined fisheries areas for the village community and PFCS
under the commercial pressure from outside lobby. That was the beginning of the simmering conflict. During this time, Orissa government outlined new leasing policy (1991) that in essence resulted in the auction of leases to the highest bidder, providing upper hand to the moneyed people and most of them were outsiders. The CFCMS challenged the Government order in the High court of Orissa. By the time the dispute between the lease holding traditional fishermen and the new entrant ‘contract fishermen’ became fierce and the Hon’ble High court of Orissa ordered that prawn culture except through pen method (enclosure) should not be allowed, and the Orissa High Court directed the Government to make changes that would safeguard traditional fishermen’s interests. However, no new lease has been issued to date. As a result, conflict ensued and powerful outsiders are marginalizing the local people.

Thus, conflict about harvesting the aqua wealth began between the traditional fishing community and the neo-fishing settlers. This became more complex with the entry of the refugees from Bangladesh and money power. The conflict also became severe with the degradation of the lagoon, commercialization of the profession and the settlers taking up a new vocation as the provider of capital (loans for fishing). Due to heavy international demand for prawns, trading became rewarding. As a result, more and more non-fishermen got into Chilika and started fishing and involved in shrimp culture. The stress of harvesting the aqua product also had its telling effects on the fish and prawn catch. Over the years these started declining (see Fig 4.1). Consequently, the conflicts between the communities and within the communities transgressed into credit, labour, product and the property rights markets (Deshpande and Bedamatta,
Besides, ill-defined property rights and breakdown of traditional fishing practices added fuel to the fire of conflict.

The dual dispute involves, first, the contentious issue of the snatching of traditional fishing grounds - made possible by the new policy - and second, that of extending prawn culture into fishing zones. The other problem has to do with caste and communities. There are a number of reasons for these conflicts but mainly the clash began with the ill-defined property right concerning the village and its leased area. It was induced by the changes in occupational structure wherein, increasingly more households (including migrants) got into fishing or prawn culture activity coupled with declining fishery. The market forces intensified the situation, so also the lease policy of the State government passed in 1991 further aggravated this. The usual social factors like caste and religion fuelled the simmering conflicts.

Fishing as a profession carried a stigma of a lowly occupation and higher castes spurned fishing. Now with the high commercialisation in the sector the higher castes are engaging in fishing and prawn culture. Nevertheless, for social purposes the upper castes still maintain their distance from the lower castes and largely participate in marketing. The low caste fisherfolks still live in conditions of abject poverty, with little education while large numbers of them are debt ridden. These evils originated at the market of fish and with the introduction of prawn, which is controlled by the upper non-fishing castes. It was provoked further by the leasing policy. The crescendo of conflict was built slowly through four steps (Deshpande and Bedamatta, 2007). First, the fishing grounds were shrinking and the entry of prawn culture aggravated the situation. Second, the non-fishing communities entered fishing occupation with prawns becoming a commercially lucrative commodity. They soon transformed themselves into moneylenders and undertook fishing as a profession. That made the competition fierce. Third, these groups of people through money lending also snatched the traditional fishing grounds as well as consolidated their control on the fishing communities with the help of new leasing policy. Last, the migrants also followed the same track to a quick success. The stark contrast between a traditional fishing household surviving under dreadful poverty against the newly
entered in-migrant flaunting money power and exercising control on the fishing community was quite clear.

4.6: Tragedy of Enclosure\(^3\), Community Agitations and Movements

Initially the fisherfolk agitated against the lease policy as well as consequent environmental degradation. During early 1991, there were severe small conflicts/agitations in and around Lagoon largely concerning the lease policy of the Government of Orissa. The agitation was to protest against the entry of the non-fishermen entering into lease market. Then High court Ordered that the capture to culture ratio be maintained at 60:40. However, the policy permitted non-fishing communities to enter the prawn culture. Another dimension of the conflict that involved the property rights of the fishermen in the region that surfaced in the form of a strong people’s agitation started in early 1990s; Tata Aquatic Farm (TAF) project was being implemented by the State of Orissa. The project posed some potential danger to the livelihood of the fishermen. The agitation resulted into withdrawal of the Tata Aquatic Farm from the region.

There was a people’s movement in the 1990s against the state government and Tata project called Chilika Aquatic Farm (CAF), when the proposed Integrated Shrimp Farm Project (ISFP) of Chilika Aquatic Farm was being implemented at the cost of about Rs 30 crore covering 400 to 600 hectares of land. It was feared that the effluent from the proposed project would pollute the lake water. The farm also posed a potential danger to the livelihood of the fishermen of Chilika, since their fishing fields would be squeezed. Due to strong people’s movement under the banner of “Chilika Banchao Andolan”, the project had to drop with an order from the state High Court and the Ministry of Environment and Forests.

In March 1999, the fisherfolk of Chilika began the ‘Do or Die Movement’ demanding total prohibition of shrimp culture in the lagoon. There were eight other

---

\(^3\) Enclosure refers to prawn culture (net enclosure, locally called prawn *gheries*)
demands as well and the Chilika Matchhyajibi Mahasangha gave the Chief Minister an ultimatum to fulfil them by April 15, 1999 particularly the one that dealt with the demolish all shrimp *gheris* (enclosure) in the lagoon (Samal, 2002). However, the government took no action and April 24, fishermen themselves began to *destroy* shrimp *gheris* over 600 ha across the lake. On May 27, they also blocked the national highway for five hours. On May 29, the movement entered the next stage when, after a public meeting at Ghodadauda, Sorana Village, eleven shrimp *gheris* spread over 400 ha were destroyed. The fisherfolk were arrested at Sorana amidst protests and a few of them blocked the police vehicle. This led to police firing that claimed four lives. This is the worst case of the “Tragedy of Enclosure” (*gheri*) in the Chilika lagoon. The government finally suspended lease for shrimp culture in Chilika. Though it is now these illegal and unauthorised shrimp culture continue in the lake and fisherfolk have been agitating against the mafia that controls it.

Encroachments on the lake continue despite the ban on shrimp culture. The fisherfolk reacted by organising agitation in December 2001. In February 2003, the District Administration started destroying prawn *gheries* inside the Chilika lagoon. On April 29, 2003, there was a group clash in Chilika between two neighbouring villages over access the fishing rights in which two fisherfolk died and sixty were injured. Basanta Kumar Nayak, the vice-president of Chilika Fishermen’s Association, told the district administration State administration that it was responsible for the clash and demanded the district administration and the State Government take strict action against the culprits and formulate a clear Chilika lease policy to prevent such social tension (*Dharitri*, 2003). A draft legislation of December 2003 fixed the ratio of fishing rights as 70:30 favouring fisherfolk. Yet, large number of fisherfolk households opposed this draft legislation.

**4.7: Peoples’ Movement and Collective Action**

**4.7.1: Chilika Matchhyajibi Mahasangha**

There is historical evidence regarding the Chilika fisherfolks’ agitation and movement. The first movement started during 1956-59, when the State Government
of Orissa was trying to give the fishery leases to the *Bangali adatdars* (fish agents, *Mahajans*). Thousands of the fisherfolk gathered at the *Ghodadauda Padia* of Sorana village in the western part of the Chilika lagoon (Behera, 1997). The leaders of the movement were belonging to the Communist Party. Therefore, the movement got setback when the Communist party divided in 1964 (Behera, 1997). During that period forty six refugee households from the Bangladesh settled in the western parts of the lagoon after getting help from the then Government of Orissa. Though they did not have any lease or right over the fishery resources, they started fishing in the lake. During the ten years, the number of the refugees increased significantly (those who came later locally called *Ana-sarannathi*) and they started demanding the fishing rights in the lake. To counter this, there was a fisherfolks’ movement in 1984.

In that moment more than twenty thousands fisherfolks gathered in Balugaon (western part of the lagoon), and succeeded in sending back eight thousand of *Ana-sarannathi*. This movement was the major event after twenty years and *Chilika Matchyajibi Mahasangha* (CMM) was established in 1984. In the CMM, there were 990 household members from 128 fisherfolk villages in and around Chilika (Behera, 1997).

### 4.7.2: The Integrated Shrimp Farm Project (ISFP) and Chilika *Banchao Andolana* (CBA)

In 1986, the then Congress government of Orissa entered into deal with the Tata Aquatic Farms Ltd. to lease 1400 hectares of land in Chilika for prawn cultivation for a period of 15 years. The government’s share was ten percentages in the deal and the opposition party Janata Dal opposed the project then. When Janata Dal came to power in 1989, it changed the name of the farm into Chilika Aquatic Farms Ltd and increased the share of Government to forty-nine percent. In December 1991, the Government of Orissa leased out of 400 hectares in advance (from Barakudi village in Brahmagiri block to Gamhari village in Krushna Prasad block in Puri District) to the Tata for the prawn culture.
The project envisaged the creation of an artificial lake inside Chilika by enclosing the landmass with a 13.7 Kms. long ring embankment (bandh). This artificial lake was to be divided into a number of ponds in which the prawns are to be nurtured and reared commercially. The project comprised of the following units:

1. Shrimp farm: 300 ha. pond area in Chilika to produce 1500 M.T of shrimp per annum.
2. Shrimp hatchery near Puri to produce 200 million post-larvae shrimp seeds.
3. Shrimp feed mill to be established in due course
4. Processing plant: to process 1500 M.T of shrimp for export initially in a leased out plant.

The entire output of the farm was to be processed and exported. The annual turnover from the farms was to be of RS. 3000 lakhs, which was to be in foreign exchange.

As a part of the extension service to small scale farmers and co-operatives in Chilika region, the project mentioned that about 70 million post larvae would initially be made available to them along with technical advice. As the requirement for feed increases due to increase in farm areas and production, a captive feed mill would be established in due course. The project stated that the shrimp produced by the farmers would be brought by the project at fair market price. The training, technical assistance, and services would be imparted to the framers free of cost and the Government of Orissa would render any infrastructural help required in this regard.

The Project emphasised that the direct as well as indirect employment of people in the project and opening of new farms would elevate the socio-economic status of the people around the farm.

Though the fishing communities had been resisting the commercial use and their consequent loss of control over their resources, never a mass mobilisation could take place in Chilika till the ISFP took shape and the threats became more visible,
imminent and enormous. The people of the villages adjacent to the Tata project were aware about the project but there was little awareness about the threats it would pose to their livelihood. In fact, the people anticipated a good bargain for their fish catch and employment in the project. Initially a few educated people in these villages became sceptical about the project. Later Meet the Students (MTS) group, an informal group of students who took active interest in social change, from Utkal University, Bhubaneswar (the capital city of Orissa) took initiative to visit the villages and discussed the issues with the villagers. Chitta Ranjan Sarangi⁴, though not a student from the university, worked closely with the MTS group and played an important role in awareness raising and organising the people against the Tata project during the initial stage. The students from the University with the local students began visiting the villages regularly. The MTS group was a group of young people pursuing radical ideas of social change and their aim was to make people conscious of the injustices perpetrated both by the society and the state. Later a provincial level students’ forum Krantidarshi Yuva Sangram (KYS) was formed to mobilise the youth against the Tata project. The students who were earlier members of MTS formed its core group and as they passed out of the university they joined the KYS. Thereafter, it was decided that MTS would function at the university level and KYS would function as a forum to mobilise the youth against the project.

In August 1991, with the initiatives of the students a meeting of the intellectuals was convened at Bhubaneswar. Out of this meeting grew Chilika Suraksha Parishad (CSP) which was assigned the task of creating public opinion regarding the issues in the cities of Orissa, mainly in Bhubaneswar, Puri and Cuttack. It was a forum which invited the think-tanks of Oriya society to debate and discuss the issue and provide moral support to the cause which MTS was trying to promote.

Gradually the students also realised that the local organisations could be an effective vanguard for carrying resistance against the project. Their grounding on the local issues and the trust local people have in their own organisations would help

---

⁴ But his role in the movement is not clear and has been questioned by the fisherfolk. In the meeting of the fisherfolk at Langaleswar, the Sangha discarded the membership of Chitaranjan Sarangi (for details see Behera, 1997)
the local organisations carry the resistance forward more effectively. Steps were thus taken to involve the *Chilika Matchyajibi Mahasangha*, a mass organisation of 122 revenue villages in Chilika, which works towards the protection of interests of the fishermen. *Chilika Matchyajibi Mahasangha*, which was fallen to the politics of rivalry between political parties, was revived to take up the cause of the fishermen vis-à-vis the Tata project. The *Chilika Bachao Andolan* (CBA) was formally launched in January 1992 to work as an extension of *Chilika Matchyajibi Mahasangha* in the areas adjacent to the project to spearhead the movement. Sri Govind Behera was nominated as the convenor of the movement⁵.

CBA was extended support by many other civil society organisations like *Ganatantrik Adhikar Suraksha Sangathan* (GASS) an organisation based in Bhubaneswar and working towards the protection of the democratic rights of the people, and *Orissa krushak Mahasangha* (OKM) that works for the cause of the farmers. Banka Bihari Das⁶, the president of OKM, played an important role in highlighting the environmental hazards of the project and persuaded the government to undertake an environmental impact assessment study relating to the project. He was also instrumental in inviting the attraction of the international community to the issue by campaigning that the Government of India must honour the Ramsar Convention in which Chilika lagoon was declared as one of the endangered wetlands, which needed to be protected.

All these civil society initiatives and formations gave the local people’s protest the form of a movement, which raised economic, social, legal and environmental issues, related to the project. The following were some of the prominent issues raised by the movement⁷:

1. The land allotted to the ISFP was traditionally being used by the neighbouring 26 villages for harvesting prawn. The shallow water collected during monsoon was ideal for the natural breeding of prawn.

---

⁵ There was lack of cooperation between CBC and CMM (for details see Behera 1997)
⁶ His role also is not clear and questioned by fisherfolk (for details see Bala et al 1997)
⁷ Personal discussion with Mr B B Das
2. The threats of flood and water logging due to the construction of the embankment on the Bhubania canal which forms the outlet of the lake into the sea.

3. The embankment would obstruct the movements of the fish and prawn from brackish water to the sea during the breeding season. This would obstruct the natural regeneration of the prawns.

4. Long-term availability of fish within the lake would be adversely affected due to the pollution caused by protein feed chemicals and pesticides.

5. The project had moved ahead without the mandatory Environmental Impact Assessment.

6. The land given on lease to the ISFP was classified as reserved wasteland and community pasture land. Hence the leasing of the lake was illegal, as the lake was not classified under leasable property.

The above immediate issues were linked by the movement with the central question on development and resource use. As the movement put it:

"The Tata project is not the central point of attack of this people's movement. The prime focus of opposition is the policy of the government towards Chilika and its people, and the Tata project is only an instance of this policy." (From a booklet titled, Chilika: Voice of The people, published by Chilika Bachao Andolan, Krantidarshi Yuva Sangam, the year of publication is not available).

The movement articulated the issues in the three questions it posed:

1. Whom does Chilika belong to - the people or the state?
2. If the big business houses enter into prawn culture what will be the fate of the people for whom fishing has been the only source of livelihood?
3. In a situation where the commercial use of resources comes into conflict with the livelihood pursuit of poor people, what should be the priority of the state?

Initially the mobilisation against the Tata project was confined to a few villages adjacent to the project. On September 20, 1991 the date on which the three year
lease to the Central Co-operative Society was expiring thousands of fishermen gathered at the state capital, Bhubaneswar and protested in front of the Vidhan Sabha (provincial assembly) which was in session. A written memorandum was given to the Fishery Minister who in turn assured people that not even an inch of Chilika would be leased out to the business house of the Tatas. The Janata Dal, which was in opposition, favoured the people against the ruling Congress party. Demonstrations, meetings, dharnas and rallies at the project site and in the state capital summarise the activities of the movement during this phase.

In its second phase the movement became more broad based and adopted a somewhat militant tone when the people broke the embankment of the project. The bureaucracy and the police tried brutal measures to suppress the resistance at the local level. Many people were injured as police beat them mercilessly and many were put in the jail. It is important to note that in this period the Janata Dal was in power and given its earlier support to the movement it was expected that it would favour the people. But the trust people had in their leaders got a set back when not only the party when it came to power tried to promote the Tata project, it also resisted the movement. Nevertheless, the protest continued and the broader environmental issues pertaining to the project was beginning to be addressed by the movement along with the livelihood issues. The fragile ecosystem of the lake and the threat to the livelihood of fishermen were articulated to put pressure on the government. In advocating the environmental aspects of the issue emphasis was given on India's commitment to the international community to preserve the lake which was declared as an endangered wetland in the Ramsar Convention and to which India was a signatory. It was reiterated repeatedly that preserving the environment was the fundamental duty of the citizen.

At this stage, disagreement appeared regarding the leadership of the movement between the Chilika based Chilika Banchao Andolan and Bhubaneswar based Orissa

---

8 It is interesting to note that the Janata Dal leader Biju Pattnaik earlier had taken an oath that he would rescue the people and the lake from the clutches of Congress and the Tatas. Due to its resistance to the ISFP, the Janata Dal won all the five provincial assembly seats from the Chilika region.
There was a strong resistance to the leadership of B.B Das, President, *Orissa Krushak Mahasangha* as it was felt by the local leaders that by overemphasising on the Ramsar Convention he was not only limiting the scope of the movement, it was feared that he was hijacking the movement in his favour. The student activists, who worked relentlessly in making the people aware of the threat from the project, had tried hard to put the responsibility of leadership on the local people. The movement at the local level thus, time and again, gave emphasis on the local leadership and saw the movement as a reflection of the initiatives taken by the people and a manifestation of their strength. The motive was to make people aware of their situation so that they can articulate the issues for themselves.

Thereafter *Chilika Banchao Andolana* continued its activism at the village level and *Orissa krushak Mahasangha* operated at the provincial capital and national level. People at the village level raised issues pertaining to the loss of their livelihood resources, loss of their control over these resources and kept the resistance confined to the local area. *Orissa krushak Mahasangha* articulated the issues in environmental terms linking the threat from the project with the fragile ecosystem of the lake and livelihood of the fishermen and as a strategic choice emphasised on the Ramsar Convention.

At the same time, the government was interrogated on the ground of legality of the issues by invoking the Land Settlement Act according to which Chilika is a 'reserved wasteland' and therefore cannot be leased to any individual or company.

The movement was primarily a resistance by the fishermen, as a strategic choice to make the mobilisation broad based the non-fishermen were persuaded to join the movement. Since the Project was perceived as a threat even by the non-fishermen both engaged in fishing as source of livelihood or in Prawn cultivation for commercial purposes, they eagerly joined the struggle. Nevertheless, this solidarity was confined only to resistance against the Tata Project; in the day to day living, the two groups

---

9 Personal interview with the leaders of the movement. This aspect also is briefly mentioned in *Maa, Mati, Chilika*, Published by *Chilka Bachao Andolan and Krantadarshi Yuva Sangam*, 1993.
continued with their traditional rivalry. The fishermen historically exploited by the powerful and dominant non-fishermen were suspicious of the latter's motive and in reiterating their claim over the fishery resources alienated even those non-fishermen for whom fishing has become a source of livelihood. The leaders of *Chilika Banchao Andolan* tried to keep the resistance against the Tata project shield from the local conflicts between the groups and assured the fishermen that the priority was to fight the bigger enemy, the house of the Tatas, and once that battle was won, the other exploiters of the fishermen's resources (which were called mini Tatas) will be dealt with.  10

After a letter signed by 21 Members of Parliament belonging to different political parties was given to the Prime Minister and a memorandum to the Union Minister of Environment and Forests that the Central Government started paying attention to the problem. The then Union Minister for Environment and Forest Kamal Nath intervened and the Ministry issued an order putting ban on further work on the project till an environmental impact assessment study was conducted. The business house of Tata assigned this task to the Water and Power Consultancy Services (WAPCO) - a government of India undertaking, even when there were objections from the side of the movement relating to the credibility of WAPCO to undertake such a study. Both the Government of Orissa and the business house of Tata were emphatic on the positive aspects of the projects the Chief Minister of Orissa dismissed the movement as politically motivated and as the handy work of certain local hoteliers and marine exporters. The stand of the corporate house throughout was that the project had very good foreign exchange potential and that the fishermen in the area would get a better price for their catch. It dubbed the movement as an act of prawn middleman, disgruntled politicians, ill informed beaureucrats, and environmentalists. WAPCO's report gave a clean chit to the project - it found the project to be environment friendly and having no adverse effect on the environment of the lake. There was opposition and criticism of the report both by the movement and by the Union Ministry of Environment and Forests. The Ministry much to the dissatisfaction of the

10 This aspect of the movement was gathered from the personal interview with the people involved in the movement and from the leaders.
government of Orissa maintained that the project could proceed only after a proper environmental impact assessment was done by a competent body of experts. A three-member team deputed by the Central Government to assess the situation in the lake expressed apprehension that the effluent discharged from the pond might affect the water quality of the lake. Furthermore, since the total water requirement of the farm ponds was proposed to be met by groundwater extraction, the team feared that it might affect water availability in the area.

While the rift between the Government of Orissa and the Union Ministry was going on and the movement was advocating vociferously against the project, the judgement of the High Court of Orissa relating to the fishing rights of the fishermen in Chilika clearly put a stop on intensive or semi-intensive prawn cultivation in the lake. Some primary fishermen societies had filed a case against the 1991 policy of the Government of Orissa and the subsequent encroachment on the rights of the fishermen. The report of the Fact Finding Committee (popularly known as Das Committee) constituted to study the situation in the area reported widespread prawn cultivation and its adverse effect on the livelihood of people and the ecosystem of the lake. The High Court verdict in 1993, though not directly related to the Tata project, by putting a ban on intensive and semi-intensive prawn cultivation, barred the Tata project.

It may be argued that the verdict of the High Court was not a direct response to the movement. Nevertheless, the very fact that the resistance to the project was grounded on issues which the Das Committee report substantiated and that the government by recognising the negative impact of intensive prawn cultivation on the ecosystem of the lake and on livelihood of people did recognise the validity of people's voice against the project, speaks about the triumph of people's collective resistance to the project.

11 See the Orissa High Court Verdict, 23rd November 1993 in the matter of an application under Articles 226&227 of the constitution of India and in the matter of an application challenging the Government notification of the date 31st December 1991 laying down the principles of settlement of fisheries of Chilika lake.
The fight with the company was won, but the fight with the mini Tatas (prawn mafias) was soon forgotten. The temporary coalition between the fisherfolk and non-fisherfolk was broken with the victory and the illegal encroachment on the lake continued. The leadership was amateur, the movement was episodic in nature and the duration was too short to make people conscious of long-term goals.

4.8: Property Rights: Prior Appropriation vis-à-vis Riparian Rights

Traditionally the property rights over the Chilika fishery resources are shared in prior appropriation. The fishing rights were determined by the mode of fishing and caste structure. The fisherfolk used to go to other parts of the lagoon for fishing. This customary rights or traditional entitlement was recognised by the State during the abolition of Zamindari system. But this type of institutional arrangements for the sharing of Chilika fishery resources was not able to adapt the present changing fishing practices, market intervention and techno-institutional changes. In the present, the fishing practices are become homogenised across the regions and castes. Therefore, riparian rights or fishery sources near fisherfolk villages would be a viable option to reduce the conflicts in and around Chilika. It would be easy for the management if resources are near to the fisherfolk communities.

4.9: Conflicts: A Perceptonal Analysis

The perception of the communities on conflict is quite interesting. The changes in occupation and fishing practices have led to increasing conflicts in and around Chilika. The shift of occupation from agriculture to fishing, break down of caste wise fishing, introduction of prawn culture and introduction of modern nylon net, non functional cooperative societies and government policies aggravate the social tension. Table 4.2 gives the respondents’ observation on causes of conflicts. The major causes of conflicts, according to ranking as given by the respondents, are
prawn *gheris*, encroachment of PFCs leased area and caste feuds. Over 95 percent of respondents (given high rank) observed that conflict is mainly due to prawn *gheris*. The caste feud and social tension is contributed by the changing fishing practices in Chilika. Mechanisation of fishing (easy availability of nylon nets, access to mechanised boats etc.) has led to a uniform mode of fishing as opposed to previous caste-wise practices. This has led to increasing conflicts affecting social relations between and within communities. In the later stage, the conflict in resource use reflected in caste feud. As a result of changed fishery policy and simmering conflict only one Primary Fishermen Cooperative Societies remained functional (out of 36 survey village) in the year 2004.

**Table: 4.2: Percent of HH Indicating Causes of Conflict**

<table>
<thead>
<tr>
<th>Causes Related to</th>
<th>Zone I</th>
<th>Zone II</th>
<th>Zone III a</th>
<th>Zone III b</th>
</tr>
</thead>
<tbody>
<tr>
<td>Encroachment of PFCs leased area</td>
<td>84</td>
<td>14</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Encroachment of Chilika</td>
<td>56</td>
<td>40</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Prawn <em>gheris</em></td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Caste feud</td>
<td>48</td>
<td>28</td>
<td>18</td>
<td>6</td>
</tr>
</tbody>
</table>

Note: Ranking given by the respondents  
H: High; M: moderate; L: low; NP: no perception,

The view from other side of the fence is also quite interesting. The non-fishing community had earlier been engaging in salt making and agriculture. But, after the abolition of salt production by the British these communities became dependent on agriculture alone, which became increasingly non-remunerative. On the other side, prawn culture was a lucrative option and they soon took to this new-found occupation. Some of them also became moneylenders and traders. Non-fishers who live inside the lagoon argue that even though they are non-fishers by caste they have to undertake fishing since they live on island. They do not have enough agricultural land (sometimes the land they have is also saline), and no irrigation facilities. This forces them to start and continue with prawn culture (in spite of ban on culture and District Administration’s periodic destruction of the *gheris*). In the process they have formed their own organisations like *Chilika Ana-Matchyajibi*
Mahashangha (Chilika Non-fishermen Association), and non-fishermen co-operative societies.

4.10: Summary

Conflict in Chilika is due to resource scarcity and dispute in resource use and management. In this context the property rights and institutional issues pertaining to the management of the fisheries resources of Chilika have been analysed. The management system of Chilika has changed over the years. Before the colonial periods there was royalty system. The British also recognised the evolved institutional arrangements. But there are continuous changes in the management practices after the abolition of Zamindari system.

There was peoples’ movement and agitation in and around Chilika. The initial movement was against Tata Aquatic Farm. Due to strong people’s movement under the banner of “Chilika Banchao Andolan”, the project had to drop with an order from the state High Court and the Ministry of Environment and Forests. As prawn became increasingly lucrative, outside interests began to enter the Chilika. The Chilika Banchao Andolan was merely against the TATA aquatic farm, but not against the mini TATAs (prawn mafias) and prawn culture in the Chilika lagoon. The leasing system broke down under commercial pressure and thus spawned the seeds of a simmering conflict. The illegal, unauthorised prawn culture continues in the lagoon and the fisherfolk have been agitating against the mafia that controls it.

Till today, a holistic institutional approach to manage the Chilika lagoon fisheries sources is missing. The intervention of market and techno-institutional changes added to the existing dispute problems. Again the lukewarm attitude of the Government and policy changes towards the management of the lagoon is the major contributing factor for the conflict and social tensions in and around Chilika. Now the situation demands to re-allocate fishing rights (riparian rights instead of prior-appropriation rights) to the communities in a manner that favours the poorer groups.