



REPORT

# The Situation of Dalits in Shipbreaking and Fishing Industry

**NATIONAL CAMPAIGN ON DALIT HUMAN RIGHTS**  
2024



# ABOUT DALIT ARTHIK ADHIKAR ANDOLAN

Dalit Arthik Adhikar Andolan (DAAA) is a unit of the National Campaign on Dalit Human Rights and is working towards securing and strengthening the economic rights of the Dalit and Adivasi communities and believes strongly in bolstering the agency of the communities. The main vehicle is access to public entitlements like livelihood schemes, education, entrepreneurship, and asset building through the constitutional provisions of budgetary allocations. DAAA believes strongly in the inclusion and promotion of marginalised communities in the economy of the country. DAAA makes strategic interventions in public policy, planning, budgeting, advocacy research, and implementation and monitoring of the Scheduled Caste and Scheduled Tribe Budget.

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REPORT

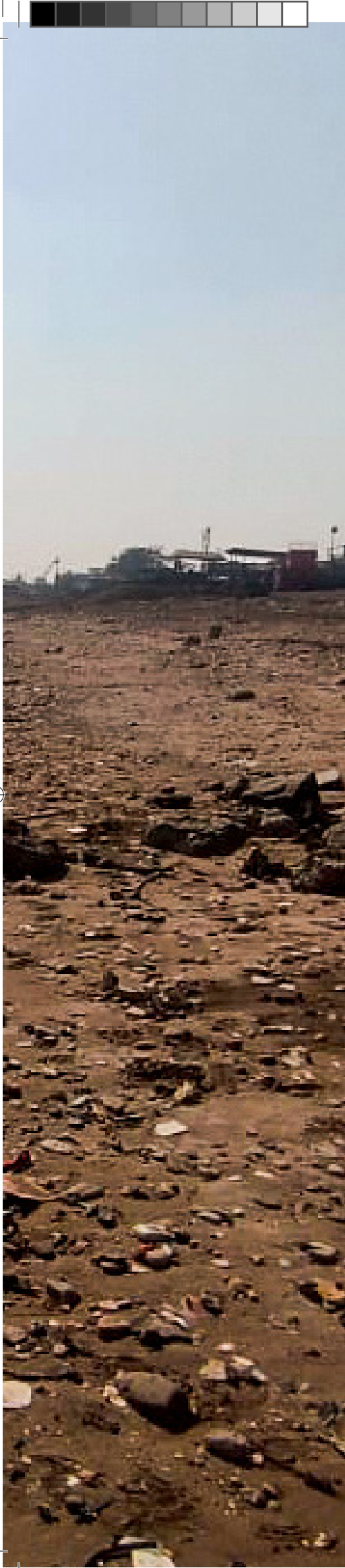
**The Situation of  
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**NCDHR 2024**









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## ABBREVIATIONS

BDI	<i>Baltic Dry Index</i>
CAA	<i>Coastal Aquaculture Act</i>
CIFRS	<i>Central Inland Fisheries Research Station</i>
CMFRS	<i>Central Marine Fisheries Research Stations</i>
C-OP	<i>Conference of Ocean People</i>
CRZ	<i>Coastal Regulation Zone</i>
CSO	<i>Civil Society Organisations</i>
DBT	<i>Direct Benefit Transfer</i>
DISHA	<i>Direct Initiative for Social and Health Action</i>
ECRZC	<i>Environmental and Coastal Regulation Zone Clearance</i>
EPF	<i>Employee Provident Fund</i>
ESIC	<i>Employees State Insurance Corporation</i>
FGD	<i>Focus Group Discussion</i>
GDP	<i>Gross Domestic Product</i>
GMB	<i>Gujarat Maritime Board</i>
GPS	<i>Global Positioning System</i>
GRE	<i>Goenchea Ramponkarancho Ekvott</i>
HIV/AIDS	<i>Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome</i>
ILO	<i>International Labour Organisation</i>
KSMTF	<i>Kerala Swatantra Matsya Thozhilali Federation</i>





<b>MBC</b>	<i>Most Backward Caste</i>
<b>MMKS</b>	<i>Maharashtra Machhimar Kruti Samiti</i>
<b>MoEF&amp;CC</b>	<i>Ministry of Environment Forest and Climate Change</i>
<b>MPEDA</b>	<i>Marine Product Export Development Authority</i>
<b>NAP</b>	<i>National Action Plan</i>
<b>NCDHR</b>	<i>National Campaign on Dalit Human Rights</i>
<b>NFF</b>	<i>National Fish Workers Forum</i>
<b>NGO</b>	<i>Non-Governmental Organisations</i>
<b>NGT</b>	<i>National Green Tribunal</i>
<b>NSSO</b>	<i>National Sample Survey Office</i>
<b>OHCHR</b>	<i>Office of the United Nations High Commissioner for Human Rights</i>
<b>OTFWU</b>	<i>Orissa Traditional Fish Workers Union</i>
<b>PDS</b>	<i>Public Distribution System</i>
<b>PIL</b>	<i>Public Interest Litigation</i>
<b>PMMSY</b>	<i>Pradhan Mantri Matsya Sampada Yojana</i>
<b>SC</b>	<i>Scheduled Caste</i>
<b>SDG</b>	<i>Sustainable Development Goal</i>
<b>ST</b>	<i>Scheduled Tribe</i>
<b>UP</b>	<i>Uttar Pradesh</i>
<b>WFFP</b>	<i>World Forum of Fisher People</i>



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## FOREWORD

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PAUL DIVAKAR



It is an honour for me to write this foreword since NCDHR-DAAA is very close to my heart and have long wished for them to conduct this kind of study focusing on Dalit and Adivasi communities and the ocean industry. While there are many narratives around the ocean industry, not much is available in the public domain on the understanding of caste in the shipbreaking industry and fisheries.

*I would like to congratulate NCDHR- DAAA on this study and its implications in the Business and Human Rights realm. Their bold decision to focus on ocean studies for their research is admirable.*

This significant step will be useful in advocating to highlight the issues with the ship breaking industry and move towards ensuring human rights for all working in this industry. Through this study, they have demonstrated their knowledge in the area by providing insights on the ocean sector via the prism of caste, class, identity, and politics, which has not been available in any previous studies.

The team consisting of aspiring authors, researchers, and others in expanding their understanding of the ocean sector and how people's social location and identity play an important role in deciding the type of job they perform and the areas they come from to perform this work. This study gives a thorough background of the social and economic identities and prejudice encountered by employees in the shipbuilding and fishing industries and contains contributions from notable scholars and activists from the field. The necessity for this research is evident, considering that India was one of the first countries to recognise business and human rights framework launching the Business and Human Rights National Action Plan (NAP) in 2018.



It is of utmost importance for a nation like India to perceive the marginalisation of Dalit and Adivasi communities and how to deal with their issues over land, water, and livelihood; only then will the country be able to achieve Sustainable Development Goals while also securing Business and Human Rights.

Finally, I appreciate the team's efforts, but I also acknowledge the challenges they faced while conducting the fieldwork because it is difficult to get into these closed spaces, which have long been under intense surveillance. This is also one of the reasons why I feel privileged to write this foreword.

*I am hopeful that this study will shed new light on how businesses are conducted on the ocean and how human rights work within it, and what can be done to ensure that the country, the state, businesses, and individuals can collaborate to achieve both SDGs and protect workers' rights and ensure that there are no human rights violations.*

I urge everyone to use this study to advocate for the rights of workers specifically in the shipping industry and also the fisherwomen and men from the Dalit Community. We hope that this will serve as evidence to the issues and barriers faced by the communities and as a state we can have mechanisms in place to ensure their rights are protected!

In solidarity,

PAUL DIVAKAR

*Convenor,  
GFoD (Global Forum of Communities Discriminated on Work and Descent)*



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## FOREWORD

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VIJAYAN M J



*Looking at the coast and ocean people through a different kaleidoscope*

Congratulations to the team of NCDHR for having ideated and relentlessly worked on this research project. The project is an absolutely fresh start, one the Indian civil society should have embarked on much earlier. The project's aim, to look at coastal/oceanic industries and fishwork, through the prism of caste and climate crisis, is indeed a novel one and deserves great appreciation.

The Indian coastal scenario and fishwork have been going through a relentless transformation since independence. The Indo-Norwegian reforms project in the 1950s, which started in Kerala and spread to other coastal states, is a classic example of how smaller, traditional communities were roped into the capitalist norm of aggressive expansion and exploitation in extracting oceanic resources.

*The very terminology of 'fisher', 'fisherfolk' and 'fisherpeople' or even the Marxian frame of 'fishworkers' for that matter, stands out today in the retrospective analysis as a misfit to the oceanic people and civilization.*

It is evident why the newly formed post-colonial nation-states were eager to fix a certain economic identity as the most befitting one for an entire section of the population, which otherwise formed the 'stinking outcastes'. The NCDHR study comes against this backdrop; where an entire population has been diminished in their existence to just being fish catchers, where their cultural, social, environmental and political relevance is limited to just their livelihood and not their way of life.







The study does well to bring out diverse aspects of the sector, to build an understanding of what forms the modern-day industrial sector in coastal India, vis-à-vis analysing how the small and traditional sector of fishing is dealing with caste oppression. It does so while keeping a relevant yardstick of the climate crisis, the lack of understanding about which has made the world poorer and dangerous, especially for marginalised and frontline communities like the ocean people.

*The three important aspects addressed in the study include modern-day slavery as effectively established in the case of the Alang shipbreaking industry, the deadly grip of aquaculture and culture fisheries in a fast industrialising fisheries market in India, and lastly the reincarnation of historic caste oppression in the fishing industry, with regard to Dalit fishers of Muthupettai, TN, who are fighting caste discrimination as well as religious polarisation.*

These, put against the backdrop of vanishing coastline due to development projects induced erosion, depleting fish resources, dredging induced drinking water shortage, loss of coastal land to ports, thermal plants and other projects, etc. make the plight of the Indian traditional fisherfolk extremely miserable and untenable. Disasters, induced by anthropocentric Developmental activities and aggravated by the worsening climate crisis add to the woes of the traditional community, whose land rights are yet to be established by law.

The study makes an intriguing, yet excellent read. The contradictions are clearly pointed out and argued sensitively by the researchers. The recommendations ought to get stronger, more structured and more powerful, considering the depth to which the study has tried to engage with people's realities. Lastly, the study throws open a lot of potential for future research, an aspect humbly accepted by the researchers through their arguments. The fishing community in India, the researchers, journalists, environmental lawyers, and others who are interested in the future of India's coastline and people, stand to gain much from the publication of such a work. One can only hope that the empire will be compelled to listen too.

**VIJAYAN MJ**

*Advisor, National Fishworkers Forum  
General Secretary, Pakistan India Peoples' Forum for Peace & Democracy*



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## PREFACE

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BEENA PALLICAL



I am pleased to present this report, which is part of our intervention on business and human Rights which aims to include all the specifics of the concerns of Dalit and Adivasi communities in this area. The thought behind doing this study has forever been there; it simply required an ideal time and stage to place things into spots and when we got that we did not think back. Dalit and Adivasi voices and views are rarely heard in policies that govern the market and business, thereby widening socioeconomic disparities. This positions them nowhere, leading to the extreme marginalisation of these populations in the business. If their perspectives and concerns are not represented in policy, aspiring to achieve SDGs and inclusive business and human rights would be fruitless.

*However, our ongoing endeavour is to reflect the concerns of Dalits and Tribals in the ocean industry, which we have attempted to achieve through this study. This study serves as a foundation as we pursue business and human rights; additional, more comprehensive research will follow in the future.*

I dearly appreciate the ardent support of all my colleagues and partners for their contribution in various forms to the successful publication of this report. We hope that this report helps to strengthen the voices and concerns of the Dalit and Adivasi communities, to hold the government, both national and state, accountable, as well as the companies that hire them and the workers or individuals who rely on the ocean for a living, and to facilitate inclusive ocean business for the communities.

BEENA PALLICAL

*General Secretary,  
National Campaign on Dalit Human Rights (NCDHR)*



## ACKNOWLEDGMENTS

We express our sincere thanks to all those who have undoubtedly supported us in carrying out this study. We take this opportunity to thank RAFTO who has supported this study and has been a great ally in the Dalit Rights work!

I would like to thank and acknowledge the authors' Ms. Evita Das, Ms. Pritika Pariyar & Mr. Amit Kumar, Ms. Kalpana Bishwakarma, and Ms. Juno Varghese for the editing. Appreciation to Mr. N Paul Divakar & Mr. Vijayan M J. My sincere gratitude to Bharat Jambucha, Dhamba Gohil, Gandimathi, Jesurethinam, Jones Spartegus, Krishnakant, MSH Sheikh, Prasad Chacko, Usangani Sherasiya and Ramanad union members for their field support and for giving time to this research.

*We would not be able to do this without the support of the community in Alang, Gujarat and Muthupettai Tamil Nadu. We owe a huge debt of gratitude to the members of Mithividi Andolan and those who working for the rights of the fishermen for accompanying us to the field, translating the respondents' narratives, and providing a safe passage for us to enter highly monitored areas.*

We do acknowledge that this study report is not a response to possible actions nor does it capture the complete essence of the issues but it is a beginning to build on a campaign for better facilities for the shipbreaking industry and the women in fisheries. This is also an attempt to draw your attention to the harsh conditions in which communities work and how their human rights are violated on a daily basis. I hope this report opens doors to have more conversations and take action to better their working conditions.

NCDHR - DAAA

## EXECUTIVE SUMMARY

The study on the experiences of caste discrimination faced by the Dalit community in the ocean industries conducted by the NCDHR is one of the pioneering interventions. The ocean industry and ocean people have been widely studied, written, and documented through environmental and class lenses.

However, the silence around caste and the ease of doing research without caste analysis have been one of the gaps. The study addresses the gap by engaging with the complex and environmentally disastrous 'shipbreaking' industry in Alang and visibilising the Dalit fishers of Tamil Nadu in the fisheries sector. The study presents its findings through secondary literature and open-ended interviews with activists, community people, experts, academicians.

### OBJECTIVES OF THE STUDY

- ◆ To provide a cursory glance at the shipbreaking industry and initiate the kinds of discrimination faced by the workers and what can be the possible social location of these workers
- ◆ To understand the fisheries sector beyond a homogenous class framework of fish workers and recognise the existence of the Dalit fishers.

The study attempts to engage the readers in questioning why the issue of caste has not been addressed in these sectors, how caste plays a focal role in deciding what kind of risky livelihood people are willing to take, what the relation between caste and livelihood, how the argument of land ownership has been missing for the traditional inhabitants of coastal land, how does the state apparatus refuse to recognise the Dalit fishers, what are the kind of neoliberal schemes brought in to capture the oceans and alienate the ocean people from their way of live. These are some of the pressing questions that the study attempts to address.

The study is divided into six sections. The first section provides an overall introduction to the study, which states the need for the study and complexity of class and class in understanding the shipbreaking industry and fishing sector.

The second section mentions the methodology of the study. The third and fourth section delves into detailed accounts of the shipbreaking industry in Alang, Gujarat and an account of Dalit Fisher in Muthupettai, Tamil Nadu respectively.

Both sections provide an account of socio-political geographical details, a listing of the existing research and studies, and narratives of the people presented through findings and recommendations. The fifth section lists recommendations for the overall study which focuses on Business and human rights, sustainable development goals, climate justice, and socio-justice. The sixth section states the conclusory remark of the study.



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The study attempts to engage the readers in questioning why the issue of caste has not been addressed in shipbreaking sector;, how caste plays a focal role in deciding what kind of risky livelihood people are willing to take; what is the relation between caste and livelihood, how the argument of land ownership has been missing for the traditional inhabitants of coastal land and how does the state apparatus refuse to recognise the Dalit fishers.

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## Chapter 1

# INTRODUCTION

India is one of the first countries to acknowledge business and Human Rights and initiated the development of the Business and Human Rights National Action Plan (NAP) in the year 2018.

The three fundamental guiding principles of business and human rights are:

- ◆ *The state's duty to protect human rights*
- ◆ *The corporate responsibility to respect Human Rights, and*
- ◆ *Access to remedy for victims of business-related abuses is the core of the National Action Plan.*

To achieve business and human rights it is important to cater to Sustainable Development Goal 5,8,9,10,13 are important goals for the achievement of Business and Human Rights, which talk about Gender equality, Decent work, and economic growth, Industry Innovation and Infrastructures, reducing inequalities, Sustainable cities and Community, and Climate Action.

India is one of the most populated countries in the world with a population of 1.42 billion, and according to the World Inequality Report 2022, India is among the most unequal countries in the world. For India to achieve these SDGs and secure Business and Human Rights, it is important to understand who its citizens are. It requires acknowledging the marginalisation of Dalit and Adivasis and understanding the needs and issues of these communities of their life over land, water and livelihood. It is futile to aspire for such a global humanitarian cause when several of these communities are denied basic survival amenities.

To focus on where we are failing in this humanitarian cause, the study brings forth instances from the shipbreaking industry and fisheries sector. The study is divided into two parts – Part A and Part B. The first part of the study emphasises the shipbreaking industry in Alang Gujarat through a caste perspective.

Shipbreaking is a lucrative industry providing employment to many unskilled migrant workers hailing from Odisha, Jharkhand, UP, and Bihar. Workers here are unable to access basic amenities and are exposed to social and economic exploitation. Basic amenities are absent for the workers here such as proper sanitation, drainage facilities, and access to drinking water and electricity. Equally worrying is the absolute lack of 'alternatives' for workers in the free time that they get. The workers are forever confined to their area and their workplace, and remain under fierce, round-the-clock surveillance which gives them little time or space to do anything else.





The study offers two primary case studies:

1. A critical research engagement with the ocean industry, through an analytical glance into the complex and environmentally disastrous 'shipbreaking' industry in Alang, Gujarat – from the perspective of workers' social and economic identity and the discrimination they face
2. A cursory analysis of the fisheries sector in India from a caste prism to understand the transition in the sector and how capitalism delves into the sector – how the marine and brackish fisher recognition is done in a discriminatory manner and how the 'Dalit fishers' are not considered fishers by the state apparatus (a case study of Muthu Pettai, Tamil Nadu)

*[It is important to mention that being a scoping exercise, both above are done purely from a sociological perspective and exclude any detailed analysis of the political, economic, or environmental aspects]*

One of the most interesting aspects of the entire research project, commissioned by NCDHR is that it is one of the pioneering attempts by the Dalit Human Rights movement to look at issues that were largely pitched in the class (read labour rights) prism so far or was always only the interests of environmentalists or conservation organisations.

Hence shipbreaking industry, for instance, was always a subject of action research and engagement by known civic action groups and organisations like the Paryavaran Suraksha Samiti (an environmental-labour protection forum based in Gujarat), the Centre for Education and Communication (a labour resource institute based in Delhi), Greenpeace India, and many others, who took turns to understand the labour practices related aspects or critically looked at the dangerous environmental impacts of industries like the shipbreaking industry in Gujarat.

Similarly, the sector of fisheries has been looked at from the prism of conservation, ecology or from

the perspectives of fish workers (a term largely popularised by the National Fish Workers' Forum, which fought the derogatory caste framing of fishers in the Brahmanical society and pitched it as a question of dignity and rights of the traditional workers engaged in fishing activities).

It is only in recent times that even the NFF and the World Forum of Fisher People (WFFP) have started engaging with the perspective question of the rights of ocean people, as being the descendants of an oceanic civilisation. Even there, the question of caste can be easily ignored and worse, negated.

Capitalism has never been kind to the oppressed, historically. This is especially so in the post-colonial South Asia region. However, its evolution in the form of urbanisation did bring in new hopes and aspirations and drove the working people from historically oppressed communities from the margins to the centre – as city makers and dwellers. However, in rural areas like in the forest regions or in coastal areas, capitalism worked through modernisation and created new ranks and files for strengthening the caste mechanism. This aspect is closely scrutinised throughout the study.



The traditional caste apparatus engaged with the fisher community and ocean/inland people as 'outcastes'. The word 'Dalit' meaning the broken and scattered, can be best used for the fishing community too, even though in many areas traditional fishers have not been included as Scheduled Castes. On the other hand, despite having many characteristics of the indigenous tribal populations, the fishing community has been kept away from being recognised as a scheduled tribe or sea tribe.

*The marine catch fishers of India, who have been traditional inhabitants of the coastal lands, have not recognised land rights for the same for generations. Though their existence pre-dates the independence of India, the legal struggle for establishing land rights is yet to start.*

It is this aspect of being kept out, while being discriminated against, that makes the lives of the fishers precarious. The number of occasions listed by fisher children going to government or private schools, complaining that they were called stinking people, filthy, etc or the reference to loud and unwelcome noises in class as 'fish market', etc. all too point towards utter insensitivity and discrimination against a people who have been second only to the agricultural sections in obtaining a significant portion of GDP for the country. Puritanical and Brahmanical frameworks about 'dignified living,' 'vegetarianism' and what constitutes 'Swachh', etc. are very closely linked to this outcastedness

of the fishers. Much of this disdain comes from the occupational aspects of fishers and continues unabated in the modern caste framework across India. This aspect is clearly brought out in the current study and is articulated well in the second chapter dealing with the Muthupettai Dalit fishers. The silence around caste and the ease of doing research without caste analysis have been a phenomenal aspect of research around the fisheries sector, coastal environment, and labour practices. This is an important take forward for sociological researchers and analysts, looking at the sector.

The other significant aspect that is brought out in the study has to do with the land question. While the rights and claims of the forest-dependent Adivasi and other traditional forest-dwelling communities stand recognised today with the Forest Rights Act 2006, it is not even recognised as an issue about the fishers.

The marine catch fishers of India, who have been traditional inhabitants of the coastal lands, have not recognised land rights for the same for generations. Though their existence pre-dates the independence of India, the legal struggle for establishing land rights is yet to start. In this context, the study points to the need for similar land rights recognition for the fishing communities. It also makes a vehement argument to recognise the coastal traditional fishers, especially Dalit fishers.



## Chapter 2

# METHODOLOGY

This study presents the findings of primary research conducted in Alang, Gujarat (focusing on caste in the shipbreaking industry) and Muthupettai, Tamil Nadu (focusing on caste in fisheries). Open-ended interviews were conducted with local, national and global activists to develop an understanding of the socioeconomic and political context of both the regions; to map individuals, civil society organisations (CSO) and groups to contact; and to understand the kinds of interventions being undertaken by them.

In Alang, contractors, sub-contractors, supervisors, academicians and CSO representatives were interviewed. Focus Group Discussions (FGD) were conducted with the workers of the shipbreaking unit. In Muthupettai, meetings were conducted with union members and the Legal Aid Society to understand the history and complexity of caste in fisheries in Tamil Nadu. These meetings provided information on previous interventions and allowed the team of researchers to develop a set of key questions to focus on during the field visit. All interviews were transcribed and the meetings were documented. Each transcription has been further categorised into issues that have been presented as findings.

The study is also based on secondary research (literature review, reports and news articles) to identify if there are any narratives available in the public domain on the understanding of caste in the shipbreaking industry and in fisheries. It also mapped the common issues that journals and media reports document to identify the weightage of the anti-caste lens in them.







# **VENTURING INTO ALANG:** THE SHIP BREAKING YARD



Photo by NCDHR Team.





## INTRODUCTION

Caste has become a resource in the age of the market, often taking the shape of a network that excludes others by hoarding opportunities. The caste enclosures, processes, and evasions in post-liberalization India point to the need to rethink caste's modernity outside of orientalist and post-colonial frameworks and consider the presuppositions that guide how to understand an institution whose nature and experience are shaped by the inequalities and subject positions it generates (Mosse, 2020).

Capitalist market development driven by the private sector has contributed significantly to India's rapid economic expansion. However, The institution of caste is also found in the social roots of India's capitalist class. Dalits (formerly known as untouchables) and Muslims are two minority groups that have not progressed up the social and ecological ladder, even though a variety of castes from various regions have become industrial capitalists (Damodaran, 2012).

A replica of the same can be seen in the largest shipbreaking businesses in the world, which is situated in the Bhavnagar district of Gujarat at Alang-Sosiya. The industry hosts around 10,000 labour workforce hailing from Bihar, Odisha, Uttar Pradesh and Maharashtra. Most of these workers are from Dalit and tribal belts. Interestingly workers from Dalit and tribal belts engage in a particular task of shipbreaking, which is labour-intensive compared to others. The locals who are from upper castes are working as drivers or supervisors.

Effects of caste are not localised; From the village to the city and into nearly all markets, they travel.

Because of its advantages, caste persists in the age of the market—its discrimination permits opportunity hoarding for others; Additionally, humiliating violence against subordinated groups is sparked by the threat of their advancement (Mosse, 2018).

The shipbreaking industry in Alang is one of the modern industries, it has established itself as a leading industry, dominating both the Asian and global markets. Due to its continental shelf, high tidal range, and relatively mud-free condition, Alang, 56 km south of Bhavnagar, was chosen as a potential location for beaching large ships<sup>1</sup>.

Two yards make up the 10-kilometre-long Alang shipbreaking yard, these yards are known as Alang and Sosiya. Alang has transformed itself from a small coastal village home to fishermen and farmers over the past three decades into the largest shipbreaking yard in the world.

Today, Alang and Sosiya have become the centre of a lot of activity and attention for breaking and recycling ships rather than building ships (Sahu, 2014). The shipbreaking industry in Alang has been documented extensively through the lens of labour rights and environmental concerns and a lot of efforts have been taken by Greenpeace in international lobbying and advocacy on the same. It is known that this modern industry engages with thousands of workers, but even then we don't witness any studies focusing on questions like who these people are. What is their social location? What is the kind of job they do? How does the environmental component affect the people working in this industry?

These are some of the basic questions and ideas through which the study has been conducted. It is to be noted that Alang falls under high surveillance, here workers are not allowed to talk to outsiders or meet with them. Hence interacting with people and understanding their social location and what kind of job they do was challenging. To enter this area, we needed the support of the leaders of the existing organisations/unions, without which it was impossible for women researchers to conduct this study. It was difficult to talk about caste there hence through proxies and other indicators the caste lens has been approached. Here we are refraining from making any general statement but requesting to read the narratives as indicators of caste inequality. In order to protect the identity of the interviewee we have either changed their name or put up a general designation like plot owner, supervisor, representative from the union, youth coordinator etc.

# MODERN SHIPPING INDUSTRY ENGAGES WITH THOUSANDS OF WORKERS

BUT...

- ◆ Who are these people?
- ◆ What is their social location?
- ◆ What are the kinds of jobs they do?
- ◆ How does the environmental component affect them?





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## EXISTING STUDY AND ANALYSIS IN ALANG

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The shipbreaking industry has been documented widely through the lens of the environment, labour rights and health impact of shipbreaking for e.g., Tiwari (1998) recognised that lead, zinc, nickel, and tin were among the heavy metals found in the yard in high concentrations. High levels of pollution, lack of clean drinking water and crowded living conditions have all had a negative effect on the health of workers in Alang. Alier (2007), mentions that the illegal shipment of hundreds of tonnes of electronic waste annually to developing Asian nations, particularly India, Pakistan, and China, violates the spirit of the Basel Convention.

Poor citizens of developing nations are put in danger by capitalist and developed nations ignoring all safety precautions. Conflicts occurred when regulatory bodies failed to apply the "precautionary principle." Demaria (2017), points out that one of the largest shipbreaking yards in the world is the Alang-Sosiya yard. By passing on the environmental costs to local workers, farmers, and fishermen, ship breakers and owners reap significant profits. The Capital is accumulated at the waste-based commodities frontiers through disposal and contamination, two additional economic means. Menon (2013) describes that Alang is responsible for nearly half of all salvaged ships in the world. Every year, somewhere between 350 and 400 ships are sunk here on average.

The once-pristine beach is now considered one of India's most toxic and polluted coastlines. Alang is a metaphor for shifting business values in India, where money reigns supreme. It also serves as a metaphor for how the wealthy look down on the concerns of the poor and how the developed world

views the Third World. The environment will need many decades to recover even if shipbreaking stops at Alang today. It currently has 183 plots, up from 46 in February 1983. When it first started, only five ships were lost each year; by 1994 and 1995, it had broken 301. Around 40,000 people are employed in the breaking yard itself, and an equal number are involved in a variety of ancillary activities.

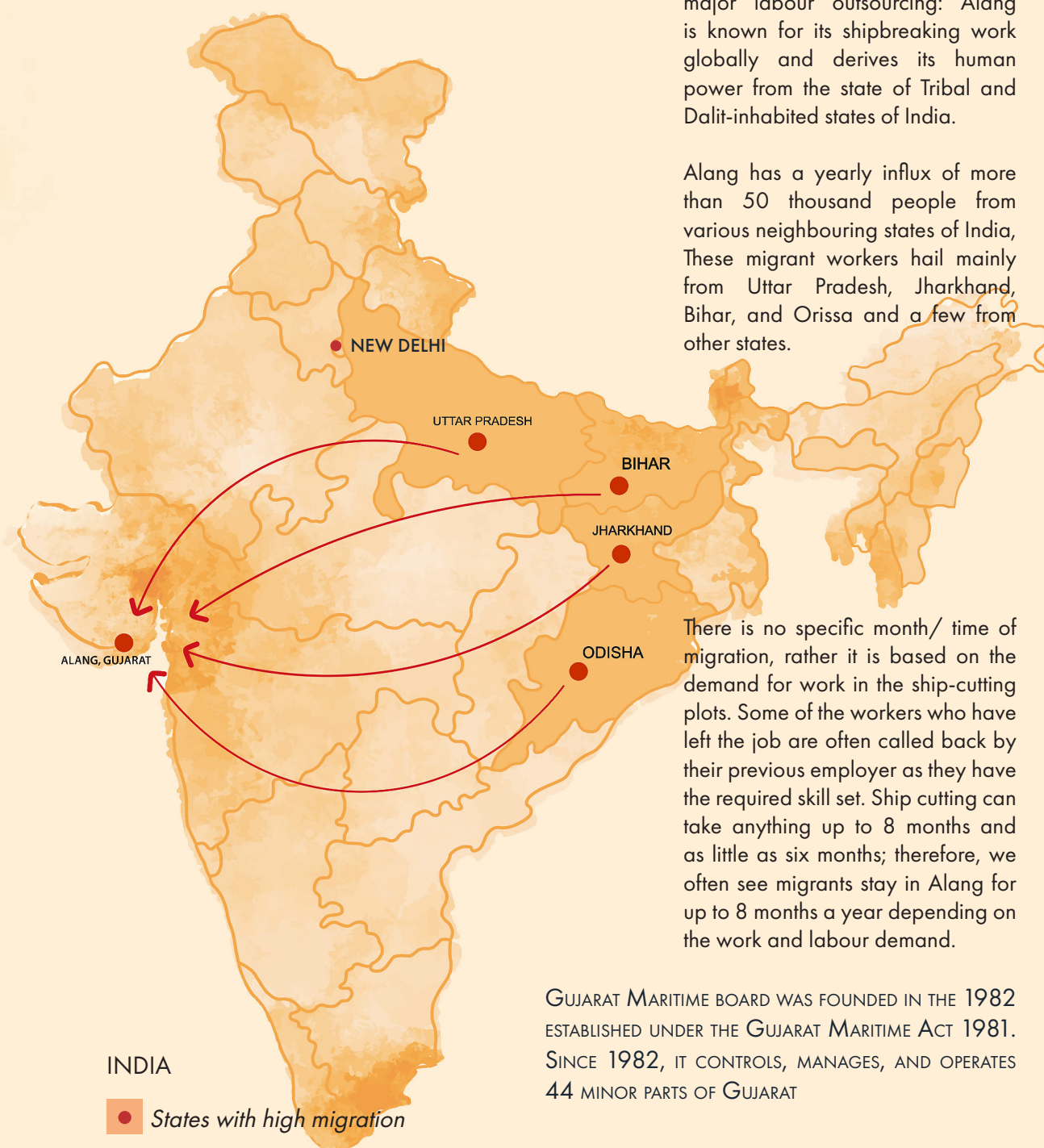
Over a hundred shipbreaking businesses are currently working on ocean liners, car ferries, container ships, and large supertankers. The business succeeds but puts human health and safety at risk. Migrants from Rajasthan, Uttar Pradesh, Bihar, West Bengal, and Orissa work here in subhuman conditions. Numerous individuals have perished in mishaps and accidents involving heavy objects falling on them. The only way out is for the industry to create a network of healthy practices, treat workers with more respect, rights, and genuine care, educate them on safety measures, and minimize environmental damage.



## FINDINGS AND PEOPLE'S NARRATIVE FROM THE FIELD

Occupational Rural Migration is a major labour outsourcing: Alang is known for its shipbreaking work globally and derives its human power from the state of Tribal and Dalit-inhabited states of India.

Alang has a yearly influx of more than 50 thousand people from various neighbouring states of India. These migrant workers hail mainly from Uttar Pradesh, Jharkhand, Bihar, and Orissa and a few from other states.



There is no specific month/ time of migration, rather it is based on the demand for work in the ship-cutting plots. Some of the workers who have left the job are often called back by their previous employer as they have the required skill set. Ship cutting can take anything up to 8 months and as little as six months; therefore, we often see migrants stay in Alang for up to 8 months a year depending on the work and labour demand.

GUJARAT MARITIME BOARD WAS FOUNDED IN THE 1982  
ESTABLISHED UNDER THE GUJARAT MARITIME ACT 1981.  
SINCE 1982, IT CONTROLS, MANAGES, AND OPERATES  
44 MINOR PARTS OF GUJARAT

MAP NOT TO SCALE

"I worked as a middleman (Kalya) in a vegetable market. I have worked in 3 states like Gujarat, my home and Hyderabad. So we go around for different kinds of work. I have been working since 2005. It has been 17 years. I have been working in Alang for the past 6 years. The other 6 years I was working as a middleman (Kalya) in Jamshedpur."

-An account of a worker  
from Jamshedpur

The workers who come to work here either arrived while they were young or came after having previously worked in another state. From 2016 onwards it has become mandatory for the workers to receive training from Gujarat Maritime Board (GMB), earlier safety for workers was barely considered which has led to many accidents and deaths

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"First we need to do the training provided by the Gujarat Maritime Board (GMB), we are allowed to work on the ship once the GMB provides the training certificate"

- An account of a worker from Jharkhand.

"Now, in Alang labourers are provided with 12 days of training on working at ships and are taught about the safety measures, earlier there was no such training, or safety measures for the labourers. Each labour is required to have this training and certificate of the same to get work in Alang"

- An account of a youth coordinator working on HIV/AIDS and sexual health of the workers and providing the medical facility for their safety.

Quite a number of workers stated that they want to leave this but, they do not find many opportunities hence left with no other option but to stay here. if even if they want to return.

"What will we do there? we are compelled to stay here and work"

- an account of a worker from Jharkhand.

"I was 15 years old when I came here. I studied till 7th-8th standard and I sneaked from my village. My boss left the shop and I took over his business."

- A worker from Odisha





Migrant labourers are mostly from the rural areas of the neighbouring states of Uttar Pradesh, Jharkhand, Bihar, and Orissa where agriculture is the main source of livelihood, hence after the harvest season they come to Alang for work. From the areas where they come, there is a lack of job opportunities and other means of income hence men of different age groups depend on Alang.

*"They are coming from the village area as there is no work available there. As compared to the Gujarati workers, the workers from the other states are ready to take any kind of work even at low wages. They will devote more hours of work and are even ready to take the risk for it"*

*- an account of a university professor.*

*"Workers are mostly single men and they do not bring their wives here due to safety issues; some are at high risk of HIV/AIDS. Sexual urges are found high among single men and they look for sexual partners in their surroundings. so, there are red light areas as well, MSM (men having sex with a man) is also high here, so we spread awareness and preventive measures of HIV/ AIDS. We cannot judge them; we must treat them equally"*

*- an account of a youth coordinator working on HIV/AIDS and the sexual health of the workers and providing the medical facility for their safety.*

However, the union operating in Alang states that workers must return home as there are not many ships arriving.

*"Ship does not come here regularly. If the ship arrives, work lasts for 3 months, after 3 months, when will it come again, when will the owner bring it, when will work be done, what will that poor worker do till then? The biggest problem is there is no continuity of job here. There is no continuity of job, then they must go home, what should they do?"*

*That is why sometimes there are many problems here, he worked for 3 months, he has PF for 3 months, then when will the ship come, then when will he work, we had such doubt and then there were talks that if he does not serve continuously for 10 years, then he will not get his pension. Then we thought that his membership in the union should be for 365 days. Sometimes he works for 8 months, sometimes for 6 months, sometimes for 3 months, depending on his request he has a 365-day membership, and if he does the PF in it then he will get a pension. In 2009, we raised our voice that there should be only one PF number for all, and today it happened"*

*- an account of a representative from the union.*



# A. STATE-WISE DIVISION OF LABOUR

It is remarkable to mention here that categories of work in ship cutting are divided state-wise. For example, the hardest work above the ship is done by migrant workers from Odisha who are mostly tribal, because of their physical strength to lift heavy things which no other people can do.

The ship-cutting work is done by the migrant workers from Uttar Pradesh and Jharkhand who are engaged in breaking/ cutting ships into pieces, gas cutting, and throwing them down for the next steps. The broken large pieces are then moulded to planks and other items and are lifted and carried by the migrant workers of Orissa. Bickering and metal scavenging work is also done by migrant workers from UP and local workers.

The local Gujaratis are engaged in the easiest work in ship cutting work, they are engaged in extracting and vacating the culinary items, Furniture, and other resalable items from the ship's cabins.

*"Odisha people lift the plates, most of them are from Ganjam district, they are the best in lifting and loading. As they lift such heavy metal on their back, they have significant marks on their back. No one can do this job, they are the only ones trained in this."*

*- An account of a migrant worker from Jharkhand*

*"Local is very less, about 2% and 98% are from outside like Odisha, Jharkhand, Bihar, Uttar Pradesh some are from Rajasthan, some from Maharashtra also but they are in less quantity. But in bulk, these former 4 states are the ones contributing to the labour. On top of that, those who do heavy work are Jharkhand and Odisha, who do the work of loading"*

*- An account of a representative from the Union.*

*"There are two types of work in Alang. Migrants do all the work that is heavy by risking their lives, it will not be done by Gujaratis. The work inside the plot will be done only by the labourers from outside, and the work outside the plot is done by Gujaratis"*

*- An account of another University professor*

STATE	POPULATION	SCHEDULED CASTE	SCHEDULED TRIBES
INDIA	1,210,854,977	201,378,372	104,545,716
BIHAR	104,099,452	16,567,325	1,336,573
JHARKHAND	32,988,134	3,985,644	8,645,042
UTTAR PRADESH	199,812,341	41,357,608	1,134,273
ODISHA	41,974,218	7,188,463	9,590,756

Source: Census of India 2011



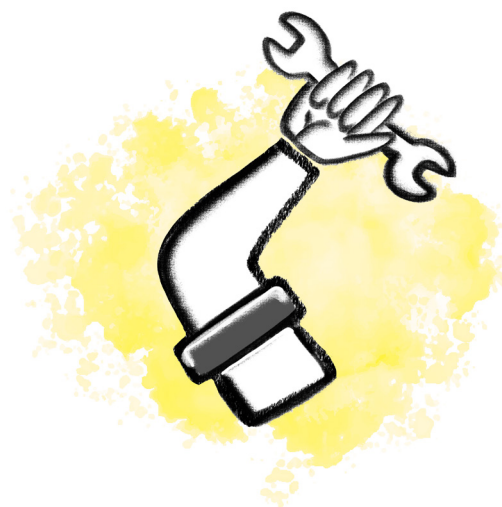
## B. ROLE OF THE LABOUR UNION

The workers' welfare union was established in 2005 in order to represent the concerns of the workers. The union has been there for a long time however they have been unable to set up a training program for workers. Union has been raising issues for workers' social security, such as ensuring compensation and Employee Provident Fund benefit coverages (EPF Act of 1995), etc., to the workers met with an accident, or accidental death while at work. When the plot owners delay, ignore, and deny to provide emergency medical attention and other assistance to the wounded workers, the Union intervenes and reports the same to the designated authority in charge for prompt action. Workers are also financially supported in case of the urgent need to travel back home and in times when workers do not receive wages on time. Unions are also affluent with the rules and regulations, mandates mentioned under 'The Workmen's Compensation Act, of 1923' that help in the course of their intervention and discussion with the various stakeholders to secure the rights and entitlements of the workers. It was learned that intervention NGOs are not permitted in the area and have strategically contained their penetration in the Alang.

However, one of the workers from Jharkhand reported that when his brother was severely hurt at work, he was only given medicine and not paid for the days he missed from work; he only began getting paid once he returned to work. He was unable to work for two months, and no ration was given. Not even the union aided him. The person accompanying us told us:

The representative of the union informed that the workers have a membership and are registered with the union for work:

However, the youth coordinators who work on HIV/AIDS and the workers' sexual health revealed something startling to us.



*"Recently in 2020, a boy took leave and went home, got sick, and expired there, after there was a lockdown. When it reopened in 2021, we did everything we could do for his family. His pension was also made in his father's name"*

*- a representative from the Union*

*"There is no one here to raise the voice and the one who keeps on raising his voice also fills his mouth with money. The organisations themselves squander the money. What to do? There is a labour building (Majdoor Bhawan) here, if any scandal happens, then the money fills his mouth"*

*- an account of the accompanying person who is also a part of Mithivirdi Andolan or Mithivirdi Movement<sup>2</sup>.*

*"About 15000-16000 people had membership since 2007 some workers left and never returned"*

*"No one is registered here, sometimes their names are changed here from their original name. There are no worker records. Some of the people have a history of committing crimes like murders and other crimes, they fled from their native place and hid in Alang as workers and have adopted fake names here".*



## C. OCCUPATIONAL DEATHS AND HAZARDS

Workers in Alang are reluctant to talk about occupational death and health hazards, as this puts them under surveillance and threats from their plot owners. Most of them mentioned that earlier no training was given to the workers on Ship cutting work, due to which workers were prone to accidents such as amputation of leg, hand, and sometimes death.



They also mentioned that they have to go through 12 days of training and get a certificate before working on ships, and it has, at large, minimised the number of occupational deaths. Workers shared the risks in gas-cutting work like being exposed to toxic and harmful gases, but pointed out that they use safety gears while working. Workers are also provided with Employee State Insurance Corporation (ESIC), however, when it comes to medical benefits, money is deducted from their accounts without their knowledge.

*"I was badly hurt when I was pulling the wire...the joint of the bridge was torn. When things like this happen, the condition comes from the company that the work has to be done with safety since people come from faraway places to work here"*

*-an account of a migrant worker from Uttar Pradesh*

*"This part of the shoulder where I have been carrying the iron plates has become hard like a bull"*

*-an account of another migrant worker from Odisha*

*"Crane lifts up the big one and we lift up the little one, 4-10 people are needed, it depends on the size and weight of the plates"*

*-an account of the same migrant worker from Odisha*

*"Our job is such that when the cutter breaks down, sometimes it can also cause danger, not sure where it will hit. It will blast and sometimes catch fire"*

*-an account of a migrant worker from Jharkhand*

*"Everything is happening through ESIC these days, I am being deducted 50-100 rupees every month. Medicine is available with the same money. One must fill his own PF with his own money, he has to take medicine with his own money,"*

*- an account of a migrant worker from Jharkhand*

## D. COMPROMISED STATE OF BASIC AMENITIES

In Alang, 5-7 workers stay together in one kholi. These kholi are shanty small huts without basic amenities such as drinking water and sanitation facilities. In front of each Kohli, a container is kept, where tankers provide water. This is the only source of water for consumption as well as for other necessities. Most of the workers resort to open defecation as the toilets exist but are not functional.

A worker hostel has been offered to the workers but they do not prefer living there as they are far from their workplace and if they don't reach on time, they are sacked or a portion of their salary is deducted. The Public Distribution System (PDS)<sup>3</sup> is also semi-functional for the workers in a manner that most of the labourers who are new to Alang are not eligible to draw PDS as they are not native, which means they must buy grains from private entities. Workers who have been residing in Alang for more than a decade have their PDS ration cards made in Alang and are eligible for the same.

The government Health care facilities are situated in Bhavnagar due to which workers must access the facilities at their own expense, from hiring the ambulance to medicine and out-of-pocket expenses. ESIC covers the registered workers and hospital charges are borne under the same but unregistered workers are left with no health and social security facilities in Alang. The Police station is functional in Alang but sadly there are no schools for the children of the workers in "Kholi" and areas near the workers' residential areas, which signifies that the children of these workers are out of school.

Teachers from the college informed us about an unconventional episode about the Kholis where the workers are living

*"We take water from the plot, and GMB (Gujarat Maritime Board) provides the water. There is no such facility for toilets, we do it in the open. Water does not come in the toilet that has been built"*

*-an account of a migrant worker*

*"Colonies have been constructed here and one more is being made but are far from the working area almost 10 km away"*

*- an account of a youth coordinator working on HIV/AIDS and sexual health of the workers and providing the medical facility for their safety.*

*"Water tank from outside comes and gives water at the rate of 30 Rs. to these kholi people. Local Gujarati is engaged in this business. They come every day and fetch the empty water tanks for the workers and charge money accordingly. Workers must pay the money themselves and sometimes the plot owners also provide them drinking water"*

*- an account of a youth coordinator working on HIV/AIDS and the sexual health of the workers and providing the medical facility for their safety.*

*"The place the workers stay is called 'Kholi' we cannot call it a room, particularly a constructed room. These Kholis too are quite illegal because the encroachment has taken place, especially on the land where it is built. The Kholi builders have encroached on the government land, the Kholi builders have private land and they generally encroach on the government land, build the kholis and keep the workers"*

*- an account of a university professor.*

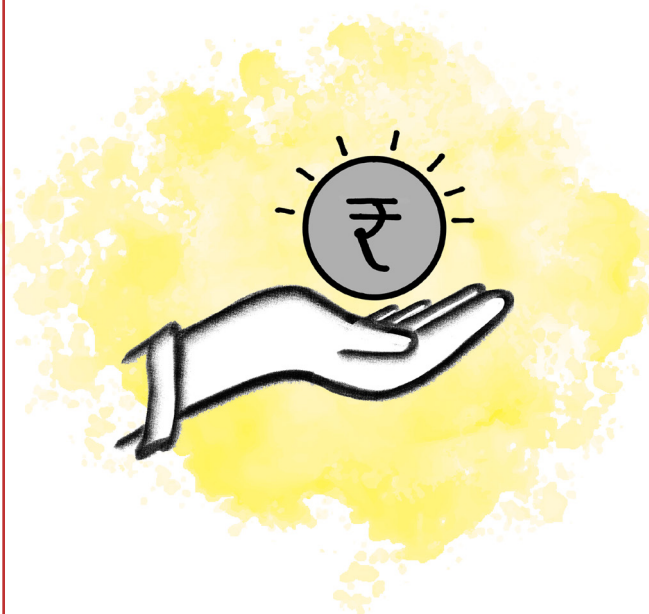
## E. INCOME, SAVINGS AND SUSTENANCE

During discussions with the supervisors and other key informants, it was observed that earlier, salaries were given in cash. But now, the salaries are paid through the DBT method<sup>4</sup>. Income earned by the workers engaged in shipbreaking amounts close to Rs 25,000 per month with added payment for extra working hours.

Workers earlier used to save their money in cash and would send it back home through someone from their community who would charge some amount for delivering their money back home. But with the rise of advanced technology, they send money back home online which is then expended for meeting domestic needs and other amenities.

No proper and direct response regarding the saving habits could be gathered during the discussions, but some examples of the people as shared by the supervisors highlight that Alang has provided opportunities for workers to build their financial status in Alang. There are ample examples of people in Alang who were earlier migrant labourers and are now well established in Alang, engaged in many business activities.

Alang provides employment opportunities to people with lesser or no skills in shipbreaking work; in fact, 12 days of rigorous training is given to the migrant workers to enable them to work in ship-cutting work. Despite a compromised work environment and living conditions, Alang never runs out of labour, perhaps the regular flow of money and opportunities to earn extra money over time and the scope of learning work after arrival has led to the huge influx of migrants in Alang. Thus, it can be assumed that Alang would continue to function even more so as the unemployment and the climate change phenomenon are soaring every year.



*"Earlier there used to be one person who used to collect the money from us and take it back to our home. For this he used to take a commission of Rs. 1000. He used to go to all the villages and distribute the money back to our home. He was a trustworthy person"*

*- an account of a migrant worker from Jharkhand*

## F. CASTE IS A SELECTIVELY IGNORED TOPIC OF DISCUSSION

During the interaction with the respondents belonging to the HIV/AIDS service centres, Supervisors, and other key informants it was observed that Caste is a selectively ignored topic of discussion in Alang and we observed reluctance and hesitancy among the respondents.

When asked if there are any records with them that can show the distribution of Caste among the migrant workers, only negative responses were received and caste questions were responded in very few words and often skipped to the next responses to other questions. It is noteworthy to mention here that supervisors and people who have been living in Alang for more than a decade deny their knowledge about the caste background of the workers who have been working with them for more



*"We have not observed them in terms of caste. They come to us for service but we do not know about their caste"*

*- An account of the youth coordinator working on HIV/AIDS and th sexual health of the workers*

*"There is no casteism here"*

*- An account of the youth coordinator working on HIV/AIDS and the sexual health of the workers*

*"There is nothing like tribal people or people who are less advanced. Here, all the people are the same, now there are people of Jharkhand and Odisha loading work, and only these people can do it. No one else goes there for loading because of heavy work"*

*- an account of a representative from the Union.*





# ILO CONVENTION ON INCLUSION AND SHIPBREAKING WORK IN ALANG:

## ASSUMPTIONS MADE FROM FIELD EXPERIENCE:

The ILO convention defines inclusion as the workers' feeling or experience in their workplace, their experience as an employee and treatment received in the workplace according to their skills, working experience and how they are valued in the workplace. It further extends the parameters such as the diversity, workers' retention, privileges, and security that are provided in the workplace as to be included which define inclusion at the workplace. ILO acknowledges the essence of diversity and inclusion for the progress and development of an organisation and workers together.

Various reports and studies conducted by the ILO further highlighted that the essence of inclusion and diversity sometimes becomes exclusive to the people at the tertiary level/ higher level/ hierarchy because they contribute to the decision-making, strategising the stance of companies/ organisations and others but the workers which are on the lower level of the organisation hierarchy are detached from this.

Shipbreaking work environment in Alang is quite similar to the findings of the ILO. Shipbreaking is a multi-million business in Alang but is unorganised sector<sup>5</sup> rather seems to be an informal sector at the ground. The interaction with the Contractors, and KII<sup>6</sup> researchers, it became clear that the essence of inclusion and diversity is completely missing in the Shipbreaking business. The only systematic approaches they follow which are part of the formal sector/ organised sector are the workers are provided with training/skill enhancement before allowing them to work, a certified course of 12 days is made mandatory, and ESIC and

PF benefits are also given. But this implies only those who have registered themselves. Besides the interaction brought the fact to light that the workers met with accidents at the workplace and sick workers seldom got the treatment and coverage under the ESIC, compensations against death, and accidents were not given to the dependents of the workers.

Looking at the work retention aspect of shipbreaking work it is demand-generated work and there are no fixed rules and regulations on the workers' inflow and outflow or in other words, the enrolment of workers and their exit after the completion of work. There is no concept of workers' productivity, performance appraisal and upgrade nor is there any scope for inclusion of the workers in the decision-making in the shipbreaking business. Workers are solely responsible for devoting their time and energy to work and accomplishing the task in a given time in exchange for money and nothing else. Besides, employees are prohibited from speaking with outsiders, as our field interviews with various individuals reveal.

*"You need to get the permission of the contractors in order to talk with the workers"*

*- statement from a respondent*

According to the aforementioned respondent, the incident occurred when his team went to meet the workers. The contractor then filed a police complaint, and the workers also provided the respondent's name during the investigation.



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**Having such a large workforce, as shared by the respondents, key informants, and researchers, Alang hosts more than fifty thousand migrant workers every year, yet there is no systematic or organised working environment that is conducive to the welfare and development of these migrant workers.**

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Fortunately, the police officer's alma mater was the same as the respondents, and following their talk, his team was freed.

It is evident that the principles of inclusion and diversity are non-existent in this business. What are its implications? well, there are many negative implications. Workers are treated only as labour without aspirations; as people who provide manual service in exchange for money and nothing more. There are no liabilities attached to the employee because there is no direct contact between workers and owners. Rather, they are controlled by contractors. The lack of work and health security is another negative implication.

Having such a large workforce, as shared by the respondents, key informants, and researchers, Alang hosts more than fifty thousand migrant workers every year, yet there is no systematic or organised working environment that is conducive to the welfare and development of these migrant workers. Shipbreaking work at Alang is not the only case in India and the global south that compromises the principle of inclusion and diversity, rather it can be viewed from the perspective of modern slavery. Because the only driving force for workers in Alang is money and nothing else.

ILO conventions on the rights and dignity of workers chalk out plenty of principles and guidelines to be followed for the realisation of the workers' rights on par with International Human rights. Sustainable development goals 8- Decent work and economic growth aspire to protect the rights and safety of the workers engaged in hazardous work as well,

including migrant workers and decent wages. India is also a signatory to these conventions and aspires to achieve the SDGs by 2030. In spite of having all things, procedures, and guidelines in place, the execution of the same is a big challenge in India.

Shipbreaking business in Alang is not only a matter of concern in terms of workers' inclusion and diversity but at larger dimensions, it is jeopardising the ecological balance and is the exact opposite of SDG Goal 13 - Climate Action and 14 - Life Underwater. Indeed, there is a need for the wilful intention of the government to intervene if the government is truly intending to achieve Sustainable development goals in the true sense.

The study exposes the fact that the shipbreaking industry in its fundamentals violates the following guideline principle 2 of the OHCHR, with regard to Business and Human Rights: "The role of business enterprises as specialised organs of society performing specialised functions, required to comply with all applicable laws and to respect human rights".

The Ministry of Environment, Forest and Climate Change (MoEF&CC) vide letter dated November 2, 2016, granted Environmental and Coastal Regulation Zone Clearance (ECRZC) for 'upgradation of existing ship recycling yard at Alang Soshiya, Gujarat for undertaking safe and environmentally sound ship recycling operations by M/s Gujarat Maritime Board'. This ECRZC was challenged by the Mumbai-based NGO - Conservation Action Trust by filing a Public Interest



Litigation (PIL), challenging the 'beaching' method claiming it to be hazardous for the environment and the workers before the National Green Tribunal ("NGT"). The NGT is a specialised body established by the Central government to deal with environment-related issues and therefore it is equipped with the necessary expertise to handle environmental issues/ disputes. However, the NGT outsourced the inspection to the National Institute of Oceanography, which testified that the Alang operations are in no major violation of the environmental safeguards.

The National Green Tribunal (NGT) hence approved the 'Beaching' method of ship recycling in the world's largest ship recycling cluster, at Alang, India, on Friday, 27th November 2020.<sup>7</sup>

*"The NGT has directed the Union Ministry of Environment, Forest and Climate Change (MoEF&CC) to establish a five-member committee to improve the environment, health, and welfare of the workers. The committee shall include experts from the Institute of Occupational Health, Ministry of Health and Ministry of Labour. The committee must prepare a report on improving the environment, health, and welfare of the workers at Alang within six months. The order recommended that the upgradation of recycling yards is essential and there should be periodic monitoring of coastal ecology every year. Regular monitoring of marine diversity and bioaccumulation of metals in the marine organisms of Alang should be done. Any adverse impact on the coastal ecology, including subtidal and intertidal zones, should be brought to the notice of the concerned authority's notice to take appropriate future care measures."*

*"It has also directed the MoEF&CC committee to monitor compliance on the beaching method and compliance for Coastal Regulatory Zones (CRZ) Regulations at least twice a year."*

Since such conditions and mandates by the NGT are also being faulted with, it must be assumed that there is no structural intention to run the shipbreaking industry according to even the diluted norms of the environment. This is a clear cause for worry and calls for the complete shutdown of such an industry.



## CONCLUSION

Alang is indeed a complex ecosystem built on varied narratives, this study has attempted to untangle some important findings and observations from the lens of Business and Human Rights.

The major workforce of the shipbreaking work in Alang are the Migrant workers mainly from the states of Uttar Pradesh, Bihar, Jharkhand, Orissa, and Madhya Pradesh, the Scheduled Tribal belt and Dalit populated states of the eastern part of the country. They engaged in hazardous, risky, and heavy work in ship-cutting. While the local Gujaratis are engaged in harmless and light works and profit-making.

This huge influx of migration not only indicates the lesser income opportunities in their native states but the pattern of migration from these five particular states signifies the socio-economic status of the Dalits and Adivasis, their marginalisation and deprivation to access natural resources. These five states are also rich in natural resources, minerals, etc, in spite of this, the rate of migration by Dalits and Adivasis clearly indicates lesser or no accessibility to use these resources in their native states. This institutionalised forced migration leads to forced modern slavery-like practices.

A compromised state of living, lack of Jobs, and inclusive medical and social security in the workplace are some of the major issues of the business and human rights in Alang. Further, the rigid system and restriction by the employers on the workers and their contact with outsiders especially the researchers, and curious individuals indicates that Alang has a very complex structure and more than meets the eye.

Therefore, the regional migration of Dalit and Adivasis, institutionalised barricades to control the interaction and communication with the workers, and a vicious cycle of casteism and marginalisation in a broader picture make one ponder whether a country is truly aspiring to equal, inclusive, and harbinger of Human Rights and Climate Justice. Indeed, a thorough research study for a deeper look into Alang is required to understand and address the complex fabrics of Casteism and human rights issues.









# **DALIT FISHERS:** MUTHUPETTAI



## THE SEMANTICS OF OCEAN PEOPLE VERSUS FISHERS: A LIVELIHOOD OR A WAY OF LIFE?

The terms that are historically used to denote fishers in dominant Indian languages include: Macchimar/a, Macchware, Macchua (Hindi and other languages like Marathi, Gujarati, etc.), Mukkuva (Malayalam), Matsyajeeb(v)i (Sanskrit/Bangla), Minava Makkal (Tamil), Matsyakarudu (Telugu), Machere (Punjabi), Minugara (Kannada), etc.

They range from the one who catches the fish or kills it, the one who originated from the fish, to the one who takes a deep dive in the ocean, to those who are called children of the products of the sea. In Malayalam, the more recent work of Matsya Thozhilali has come to be of overwhelming usage and it means fish worker. It is perhaps the only Indian language, where a subaltern insertion has become a norm.

In English, the words range from fisher, fisherfolk, fishermen, fisher people, etc. The modern-day usage, of fishworker, owes itself to the impact of the Marxian school and the working-class consciousness, built by the inception of the independent trade unions like the KSMTF<sup>8</sup> in Kerala, GRE<sup>9</sup> in Goa, MMKS<sup>10</sup> in Maharashtra, DMF in West Bengal, OTFWU<sup>11</sup> in Odisha and so on.

Nationally this led to the creation of the National Fishworkers Forum in 1982, from where it was the National Fishermen Union or earlier the National Union of Kattamaram (Cattamaram) and other traditional boat fishers.

However, it is important to understand that many of these terminologies are a by-product of the dominant community perspectives and discourse. These are not self-adorned by the community that engaged in fishing for their livelihood. When in conversation with the marine fishing community, it becomes evident that their primary conceptualisation about their identity does not start with fish or seafood, rather, it starts with the ocean and ends with the coastlands and the shoreline.

In recent years, with the hosting of the Conference of the Ocean People (C-OP), the community globally has started a new chapter in the debate around the semantics of its identity. Ocean people, coastal people, children of the ocean, etc. are being actively taken forward as important markers within the identity. The core argument is around ocean dependent people, whose 'way of life' is the sea and coastal lands.



“Referring to the ocean community as fishers or fisher people is as ridiculous as calling the indigenous forest people only as honey gatherers or wood collectors. The Conference of the Ocean People indeed is aggressively seeking a historical redressal in the discourse around the semantics...”

- Jesurethinam, Advisor, WFFP

“The core identity of our people is not that of fishing. Fishing is only the economic activity that we are dependent upon. Our way of life is the ocean and Neythal (in Tamil, meaning those who belong to the oceanic coastlands) is our identity and existence...”

- Jones T Spartegus, community researcher and representative of WFFP Youth.





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## CASTE IN CONTEMPORARY FISHERIES: *THAT LOUD SECRET*

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The absence of strong spokespersons in the constituent assembly, representing the interest of the fishing community, led to the historical injustice, which compromised fishing/coastal community interests in constitutional bodies and reservation. Due to many factors in identifying the different scheduled communities, in the absence of a strong axis of advocacy, the fishing community was excluded from the Scheduled Caste and Scheduled Tribe listing. Though both lists were supposed to evolve over the following period, the lack of unified fishing community voices made sure they were never to be made part of it.

Subsequently, traditional fishing communities have found their space in BC or OBC or MBC sections in different states. However, missing the opportunity to have created a unique space in the constitution for the sea tribes of India, is a much larger lost opportunity for the very progressive democratic polity that was attempted. This has immensely impacted the socio-economic positioning of the fishing communities and left them landless and with no legally recognised command over the natural resources they depend upon. In the absence of effective reservations, the community had to rely on modernisation for getting better educated and employed. The very same modernisation, like how it happened with the Indo-Norwegian modernisation of fisheries project, led to the upgradation and technology change in fishing.

The impact of such marginalisation left a deep mark in the traditional sector. Historically, the fishing communities were considered 'untouchables' for their occupation (dealing with dead animals/beings), the stench from fish and the lack of good and hygienic markets. This gave birth to the development of local curses and derogatory slangs in different languages around fish catchers and fish vendors. 'Don't make this into a fish market', 'You stink like a fisher', 'are you selling fish or what?' etc. along with ghettoisation of fish markets and denial of travelling rights for fish vending women, all have been part and parcel of modernised Indian society in the past few decades.

The new eruptions of casteism started with the introduction of modern industries in the coast. Be it the shipbreaking unit at Alang, the aquaculture farms in South India or West Bengal or the introduction of boat workers in the different coastal areas, the re-introduction of modern casteism paraded its naked strength by taking forward the traditional untouchability. In that, modern casteism as reflected in the fishery sector is nothing but a modernised version of the untouchability that existed earlier. However, if one delves into the details, one can identify new agencies and vested interests, sponsored by Brahmanical history, playing an active role in the same.





“Since Dalit literally means broken and scattered people, the Indian fisher people deserve to be addressed as Dalits. Since they are the indigenous people of the coast and oceans, having pursued their occupation for hundreds of years, they also deserve to be addressed as Adivasis (or the indigenous peoples). However, this logic was not good enough for the makers of the Indian constitution to recognise the underprivileged and historically oppressed fishing communities as neither Scheduled Castes or Scheduled Tribes. It will remain a stain in the history of the Indian constitutional bodies that the identity of the fisher was not recognised correctly...”

*Vijayan MJ, Advisor, NFF*







## ABOUT MUTHUPET

Muthupet is a village situated in Thiruthuraipoondi Taluk under the jurisdiction of Thiruvarur district, bordered by the Koriayar and Pamaniyar rivers to the east and west respectively. It also borders the delta districts Thanjavur and Nagapattinam. It is situated 400 km south of Chennai. Various tributaries of the river Cauvery flow through Muthupet and adjacent villages such as rivers Koriayar and Pamaniyar join near Muthupet, where a lagoon lies that is rich in fish and the total area of the Muthupet lagoon is estimated to be 13.32 km<sup>12</sup>. It is part of Point Calimere Wetland Complex - international important wetlands Ramsar site. Muthupet also has one of the largest mangrove forests covering an area of approximately 13,500 ha and 4 percent of the area has well grown mangroves. It is known to be one of the ecologically sensitive regions providing unique ecosystems.

The history of Muthupet reflects the reality of a feudal, colonial, and religious combination of land holdings. It demonstrates a pattern of how an oppressed community was kept away from land ownership. The Muthupet mangrove forest was under the control of Chatram Department from 1853 to 1912. The government of the presidency of Madras Gazette (1937) shows that from 1923 to 1936, half of the revenue obtained from selling mangrove products was paid to the revenue department and the remaining half was spent to maintain the 'chatrams' (charity homes). The government declared the Muthupet mangrove forest as revenue forest in February 1937 and, accordingly, the mangrove forest was handed over to the forest department of the Madras presidency. Few satellite imageries suggest that 'mangrove cover along the Tamil Nadu coast in general, and Muthupet in particular, have been reduced year after year'<sup>13</sup>.

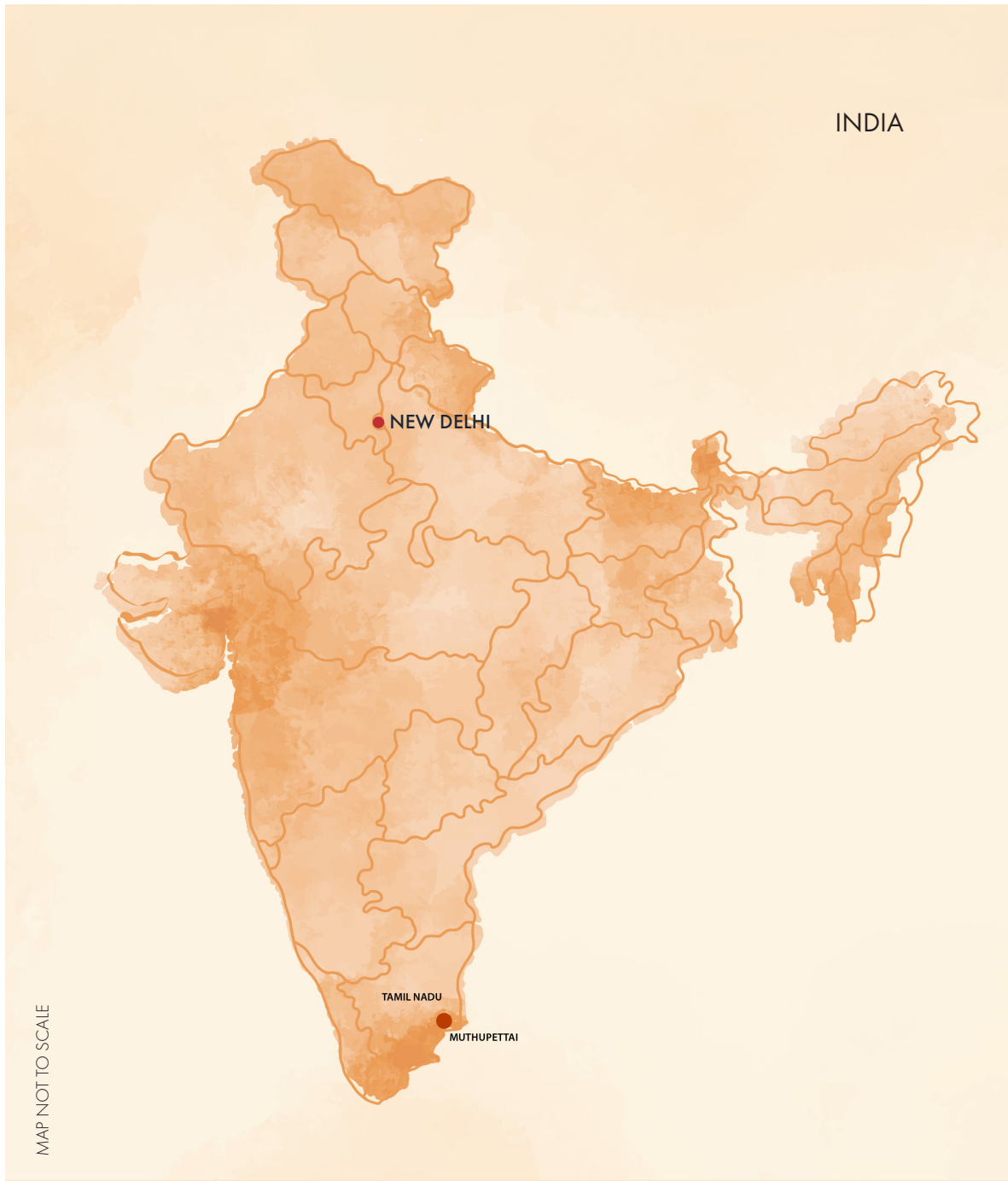
The township adjoining the Muthupet village is known as Muthupettai. This has evidently caused a

lot of administrative confusions, including the Census records. It is also the community development block situated in Thiruvarur district, located at the southern part of Cauvery delta in Tamil Nadu. The village of Muthupet has 119 families and total population being 491. About 96.13 percent of the population belong to the Scheduled Caste (SC), as per the census data 2011 (kindly note that the study will be using the political term of Dalits instead of the administrative category of Scheduled Caste). There is also another data by census 2011 for Muthupet, stating total population as 3160 and number of households as 834. Percentage of Scheduled caste population mentioned is 33.04. On closer scrutiny, the census data of 2011 provides two sets of data, drastically different from each other and it creates a dilemma for the researchers and readers as to which data to refer to.

The study, after the visit of the researchers to the field, has decided to stick to the data that puts the total population at 491. We are also referring to this data as we draw inferences from one of the fisherwomen saying

*"We are less in number; you can cover us in about three streets...we are so small in number that it is difficult to locate us."*

Agriculture and fishing are the main activities in this area and it is their way of life. Muthupet is a fertile fishing ground<sup>14</sup>. The marine census data from 2010 for Muthupettai states there are '275 fishermen families, 269 traditional fishermen families and 1095 the total fisherfolk population'. Of this, 258 families are involved in full-time fishing and 38 families are involved in part-time fishing. Thirty-four members are involved in fish marketing, 296 members are active fishermen, three members are involved in repairing nets, one in processing, 19 as labourers, seven in others and 66 members are



involved in activities other than fishing. It is to be noted that most activities are women dominated, apart from activities other than fishing. The landing centre has 56 boat parking slots for 53 motorised boats and three non-motorised. The Fishers here are engaged only in traditional ways of fishing and oysters' collection, based on traditional knowledge. They do not have any dependency on equipment like GPS and Echo sounder. Dalit women belonging to the fishing hamlet in Muthupet are directly engaged in fishing in the lagoon, near to the sea, handpicking shrimp, crabs, oysters and collecting clams. Women belonging to other areas are also involved in dry fish selling, processing, and fishing-related activities Some narrations about Muthupettai state that aquaculture farms are also one of the 'main activities' in this region. However, based on the field visit, it is evident that the fisher people of Muthupettai are neither the beneficiaries nor the owners of these large industrial aquaculture farms. Hence, it is imperative to highlight for whom it is a 'main activity' – refer to Box 1.



## BOX 1

# THE INTRODUCTION AND NOURISHMENT OF AQUACULTURE AND RELATED DEVELOPMENTS

*A detailed account of what is the impact of aquaculture farms on the coastline of India and its history has been documented by The Research Collective<sup>15</sup>, drawing from their research:*

Post-Independence period fisheries sector garnered special attention. In 1960 when the Green Revolution was gaining pace, two key institutions The Central Inland Fisheries Research Station (CIFRS) and Central Marine Fisheries Research Stations (CMFRS) were elevated to research institutions, becoming CIFRI and CMFRI respectively. The elevation took place for these institutes to focus on aquaculture. In 1970, attention was paid to aquaculture for its export potential of shrimp.

In 1972, Marine Product Export Development Authority (MPEDA) Act was enacted to actively promote the export of marine products. The period of 1975-1990 saw strategic planning and land invasion, where fish farming land sites were identified for strategically planning the production of shrimps. Hatcheries technology was set up for which land was acquired.

Training, outreach, and extension of activities were set to trigger the industrial forms of aquaculture and build-in models to invite private sector players. But for the Aquaculture to take off, the Government of India realised it needs the shrimp feed industry. A Thai multinational conglomerate with \$35 billion business in various sectors, started investing in India's feed industry in 1992, honouring the invite by the then Prime Minister Shri P.V. Narasimha Rao and in 1996 set up its own factory in Chennai. The stage was set for the industry to boom; however, this did not last for long, as there was a spread of white spot disease in several aquaculture farms along the coast in 1994. This affected the natural

stocks and led to encroachment of coastal commons, increasing the area of cultivation, converting paddy fields into shrimp farms, leading to conflicts between the fishing communities and shrimp farmers.

In 1996, a landmark judgement was passed banning the practice of aquaculture in the CRZ areas (note that the Muthupet falls under CRZ) and ordered for the demolition of the previously existing farms. The implementation of this judgement did not last long, and silent experiments took place. In 2005, Coastal Aquaculture Act (CAA) was passed, which became the licensor and regulator of aquaculture farms<sup>16</sup>. The prescribed shutting down of the existing farms never took place and in fact, the number of hatcheries increased to 259, of which 252 are in Tamil Nadu. Through small feeders many multinational companies too came into the market, despite multiple resistance movements led by communities because of the oceans getting polluted and livestock being destroyed.

Several studies suggest that the white spot disease among the farms still exists, however with the launch of 2016 Neel Kranti (Blue Revolution) the government is highly investing in the aquaculture sector. A separate union ministry of fisheries has been set up for the first time after independence. Its first scheme – Pradhan Mantri Matsya Sampada Yojana (PMMSY) was launched in September 2020 with an investment of INR 20,000 crores in the sector (the highest ever investment in the sector since independence) and aims to enhance exports to INR 1 lakh crore by 2024-25. Much of the scheme targets aquaculture and similar culture practices and is not in the interest of the small traditional fishers.

The timeline of the aquaculture farms itself clarifies that aquaculture farms were introduced for big



investments and export values, aimed at skyrocketing profits. It also led to private players owning farms whereas coastal common lands were grabbed and communities were alienated from their own land. The fishing community suffered immensely as the fish stock was depleted because of the increase in salinity in the natural resource systems.

*"As days went by, the lands were increasingly sold to the Aquaculture farms in the 90's. The entire aquaculture has impacted us (fisherpeople) a lot. They have been releasing the 'Marundhu Thanni' (medicated chemical water) and it has polluted our freshwater. The salinity level has increased in our waters. We are so small and it is impossible for us to resist the Thillaivilagam people, a nearby village from here," said a fisherwoman from Muthupet.*

The Muthupet Lagoon and the forest area are under the jurisdiction of CRZ I and the Muthupettai settlement is under CRZ II<sup>17</sup>. The CRZ Notification, 1991 states that any aquaculture farm is prohibited in CRZ demarcated areas<sup>18</sup>. A joint committee report presented before the national green tribunal mentions<sup>19</sup>: "Large concentration of shrimp farms in mangrove areas has not proved sustainable elsewhere in the world. Mangrove soils are potential acid sulphate soils and not conducive for setting up of shrimp farms. The states should not permit shrimp farm construction within natural mangrove areas, or ecologically sensitive wetlands, swamps". Whereas the team witnessed multiple aquaculture farms around the lagoon area. The Government of Tamil Nadu, the Department of Fisheries and Fishermen Welfare have sanctioned numerous shrimp farms and provides information on land-based aquaculture development district wise. For example, the brackish water area in Thiruvallur is 14660 ha and potential area readily available is 2662<sup>20</sup>.

Muthupet has been vastly studied in terms of land use change, heavy metal sediments, kinds of shrimps and the species available. In other words, the changing ecology and biodiversity of this area has been studied, however, there is hardly any information/academic interventions/research on the people residing in Muthupet village. It is even

more interesting that there is no information on such a huge Dalit population that has been living in this area for decades. Any number of keywords on understanding/documenting the caste scenario in this village will only lead to the census data page and that too with contrasting numbers as mentioned earlier.

This indicator tells us how less this area has been studied. The census data of the village does not provide any data on the religion-based break up. The marine census data 2010 addresses the religious component, stating that 76 people follow Hinduism and 199 Christianity. Simultaneously it states 11 people fall under the SC/ST category. The marine census data here is further confusing, it raises multiple questions such as - is the data talking about the town panchayat or the village data? If it is indeed the village data, from which census data 2011 can we draw parallels?

In a huge contrast, one census data states that 92.6 percent (the one that the study team is relying on) are SC and the other one puts the SC population at 33%. The strange data of CMFRI that refers to 11 SC persons, which is nowhere close to the Census data either way. On the religion question, the marine survey throws us another complex figure of 119 people portrayed as Christians. That brings in another important complexity- the question of SC (considered Hindu) and Dalit Christians (considered non-SC and accorded no reservation).





The field visit team asked specific questions to uncover the reality of this. When asked if the Muthupet people belong to the SC category, a villager responded:

*"We all belong to the BC category, we are not SC. Small children were under SC, later around 7th, 8th, 9th, or 10th std at school, especially when the children join for their 10th std the SC marking will be turned into BC, or else it will be changed in between during their school. By the end of school education, a SC child becomes BC..."*

*Interviewer: Is it changed into BC or MBC? Even SC might be there.... So, you have your community certificate, right? What is mentioned in it?*

*Respondent 1: "It is mentioned as BC. It always depends upon the parents' community, they say".*

*Respondent 2: Added a significant pointer: "If it is for Christians, it is always mentioned as BC. They have changed it to BC."*

*Respondent 3: An elderly woman stated "No, initially they gave it as SC to the ones who got it before".*

*Interviewer: Before in the sense how many years? Was it during your father's period?*

*Respondent 3: "During my father's father period it was mentioned as SC... While we went for schooling, we got certificates mentioned as BC, because the Christians were categorised under BC by the Government. If it is Christian Pallar then it comes under BC, hence our certificates also carry the term BC."*

*Interviewer: Do you belong to the Pallar community or the Paraiyar community?*

*Respondent 4: "Pallar caste".*

*Interviewer: Can you just say when you all converted to Christianity?*

*Respondent 3: "We only know about our generations, apart from that we have no idea... we have no clue about our previous generations."*

*Interviewer: For example, you have your grandfather who was born a Christian, does that mean that your grandfather's father or grandfather was converted into Christianity?*

*Respondent 5: "My maternal grandfather's name was a Christian name; he was a Christian. My father's dad was also a Christian, my dad was also a Christian. Now we are also Christians. How can we just jump to another religion in between? What else can we do? As per my understanding it is across 4 generations....*

*Yes, my Father, Grandfather, we and our children it is surely for 4 generation*



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## WHERE ARE THE DALITS?

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The contention in the status of SC/ST/OBC/MBC/BC as mentioned in the narrative of fisherpeople of Muthupet has kept the outcaste among the outcast in the dark. The recognition of Dalits in the traditional fishing community has barely been studied or documented in the academic or civil society space.

The existing literature on the fisher community has extensively looked into the history of the community, their traditional knowledge, the impact of the blue economy and other schemes/policies/acts on the traditional fisher people, and their sovereignty rights. However, a rich history that can be traced from the 1950s has missed out on inquiring about the existence of Dalits in the traditional fisher people, and what has been their traditional knowledge? How has the contemporary fisheries sector reinforced the caste system? Within a homogenous category of fisher people, fish workers where are the Dalits? What is the kind of recognition they have received? What is the kind of oppression they face and have faced?

Answers to some of the questions raised above can only be found in the voices of community people, leaders, and unions. This oral history needs to be documented and should be brought out in the public domain for the readers to know what has been the existence of Dalits in fisheries and what kinds of oppression they face.

Through the voices of the community people and leaders of Muthupet, the study attempts to unveil the kind of subtle historical oppression a Dalit fishing hamlet has been facing. Dalit landlessness is integrally linked to the question of resource ownership. While the fishing communities are also considered 'unclean' and 'unhygienic', etc. by casteist Brahmanical society, in the social caste hierarchy, the fishing communities are counted as BC, and above the Dalit (SC) in the ladder. The Muthupettai case study is a classic one to understand this.







# FINDING





## A. EXISTENCE OF THE COMMUNITY

The interviews conducted for this study states that the community has been living here for more than 8 generations.

*"For 10 generations we have been here. We have been here right before our Grandpa's Grandfather's time."*

The fisherwomen interviewed stated that they are small in number, and the entire community is Dalit Christian. However, when interviewed, they presented their confusion whether their certificates mention them as Scheduled caste or Backward caste. The quotes of the respondents have been mentioned above. The traditional occupation of the community is agriculture and fishing.

However, the community started shifting almost entirely to fishing from agriculture in the mid-1990s. When they practiced agriculture, they worked as tenants on the lands owned by Thevars (One of the dominant communities in Tamil Nadu) and Muslims. Whatever would be the yield from the land was distributed equally among the tenants and the landowners. With the boom of aquaculture in the 90s, a lot of these lands were sold, hence, the community shifted entirely towards fishing and it also gave them an identity of being owners. More than 200 fisher families are living here. The community is sandwiched between the Thevars and Muslims.

Both communities are large in number and control resources around the area, forcibly so. The Thevars control the sea and the Muslims control the fishmarket. Now the Thevars control them. The Muslims and Thevars also have huge patta lands in their possession. In the early years when all the communities were settling in this area, the fisher families here bought the land from Muslims, but little did they know the complexities and the betrayal they were going to confront.





## B. LAND BETRAYAL

The community bought the lands from the Muslims, but the people were unaware that the land belonged to the Hindu Endowment Board. When they were buying the land, they were under the impression that Muslims administered the land. Hence, they bought it from the Muslims. The Hindu Endowment Board and the fisherpeople had an arrangement even before the latter realised that the land belonged to the former. The Board and the community used to have an unsaid pact between them, i.e. whatever would be the yield from the land (for example, yield from the coconut trees), 50 per cent of the yield would go to the board.

The community welcomed the pact since it allowed them to earn enough for their living. Their way of life, income and livelihood was based on the ocean and the produce from the land. However, out of the blue, the board did not stand up to the pact and has been threatening the people that they must pay an administrative fee of Rs 20,000-30,000 for residing on this land. In 2017, the community received an eviction notice, stating that the community had encroached on the temple's property, which used to be a wasteland.

The respondents said that in the court case, they were not allowed to talk, and the verdict they gave was final.

The respondents are unaware of the court case proceedings as they are temporarily settled here. The community has their own church here on private land, which was bought by the community and built. The area they reside in is waste land, which now belongs to the Hindu endowment board.



*"Initially, if we climbed a coconut tree, we would pluck the entire coconut tree. They used to take half, and we used to take the rest. The Coconut oil we sell, and the coconuts we sell, we get half of the share, and they take half of it. That's how it worked. That's a real thing, and we had no other income in this area. This is like a pact between us, Mann Padhi (Land) and Maram Padhi (Tree) – meaning half from the land; half from trees"*

*"We all have about 9 cents of land on which our houses are built but here the Endowment board created issues, in 2017. The board along with the trees also asked for the taxes. It is a different kind of torture for us. In 2017 we all got a notice from them. Saying we need to vacate shortly, from that point we are very uncertain about our living. We are here only on a temporary basis, but they ask us to pay taxes. We can't cope with that"*

*"They announced that the base rate for each land would be fixed, where we need to pay property tax based on the size of our land. We did not abide by it, hence it's still pending. Whenever they ask us to vacate, we need to move out of this place, till then, we need to pay the rent. Our conditions are still very uncertain".*



The land, when bought from the Muslims, was priced at Rs 18,000 per cent. Now the rates are exorbitant: close to Rs 1, 00,000 per cent.

Additionally, the state has also played an important role in causing further injustice to the oppressed people. Each individual received a handwritten patta, which was declared invalid. A respondent explains her case here:

The respondents also say that they had individual pattas during the Kalaighar period (during the early tenure of DMK leader Karunanidhi as CM), later the pattas were declared invalid during the Maruthur Gopalan Ramachandran (MGR) period, who served as the chief minister of Tamil Nadu from 1977 to 1987 and he represented All India Anna Dravida Munnetra Kazhagam party.

*"We all did pay for it and bought the land. We bought the land and built our houses, but later they are asking us to pay Rs 20,000 to Rs 30,000 to the temple board."*

*"Even if we build a small hut, they used to dismantle it, otherwise, we need to pay them money. Even if we pay them, when the construction is going on these people question us and then destroy everything that has been built."*

*Yes, we do have pattas. A Patta, which says that Murugaiyan Devan had sold it to us, in written format, is with me. We did ask about this issue in 2017 at the court, when we all had bought 10, 20 Kuzhi land but still none of us had the claim over it. This endowment board had now asked us to demolish our houses and we are clueless now on what should be done next."*

*"Yes, we had individual pattas but it has been canceled it seems, during the Kalaighar period it was sanctioned for us. Later in the MGR period they say it has lost its worth."*

These stories are not new or shocking. It has been well established how historically oppressed communities have been deprived of land ownership and most importantly, how they have been betrayed of ownership rights. It always starts with gaining the community's trust, using their labour, then slowly exploiting their resources and the same resources are then claimed by the dominant groups and state as their own. The occupation of natural resources by the state and other dominant groups is not a one-day affair. These narratives provide a timeline of the historical oppression that has taken place.



## C. WAY OF LIFE

The communities' dignity is in ensuring that they stick to their way of life and how they co-depend on natural resources. The declaration of natural resources as protected areas has often been seen as a great environmental step in wildlife, flora and fauna conservation, but it lacks consideration of the people who have been protecting the forest, coast and sea. Since the area has been declared a marine protected area, the forest authorities have banned the people from collecting oysters. The community has their own traditional knowledge of picking oysters. It is one of the major sources of income. Their area is known for breeding good quality oysters, and they can sell them at a good price. Despite the opportunities and skill set they have, they have to hide from the forest officials and the dominant communities to collect oysters.

It is to be noted that if forest officials catch these people, they are heavily fined: over Rs 40,000. Most members have a receipt of fine with them, which they find difficult to pay and depend on loans to pay the fine. In 2019, the forest authority imposed a complete ban on people entering the sea, which meant that they were not only deprived of picking oysters but also of fishing, which is another source of income (less profitable) for them.

While the community was battling to figure out how to fight the complete ban, and how to feed themselves. In 2022, the Thevars monopolised the resources of the oysters – the community was 'allowed' to pick oysters only on one condition: that the entire lot be sold to the local landlord at a price he decides. For the past year, they were able to risk their lives, hide and pick oysters, but now it is impossible. If the thevar landlord finds out that they have gone to the sea without his knowledge, the forest officials are informed and they are fined. The terror and fear created by the thevar landlord has forced the community to work on no revenue and sell their catch based on the price he decides.

*"We only go for fish, we won't go to some other odd jobs"*

*"We have to enter the sea, which we do by risking our lives, as the forest officials will torture us if we get caught. If the salt content of the water increases, the oysters will also become big and the prices of the oysters will also increase. The small ones are taken for lower rates. At times, we go to the shore and pick the oysters from the origin that gives us a good yield."*

*"We mostly handpick the oysters. Depending upon talent and skills one can pick 50-100 kgs a day, but on an average, 25kg. We use the net or there is a tool called maal to pick the oysters, but if there are not many, we handpick them"*



*"While I sell it on the streets I used to give it for 200 rupees. We sold it for 200 rupees last year. But the merchant took it from us at 150 rupees and sometimes at 80 rupees. When we sell, it is based on kgs but the merchant pays us based on how many sacks we have. This is a huge loss for us for example a 50 kg collection when counted on the basis of sacks becomes 10kg and we are only paid for that"*

## D. SUSTAINABLE DEVELOPMENT GOALS

It is important for the study's framework to analyse the two industries in concern, from the point of view of the Sustainable Development Goals (SDGs). The SDGs are a call for action by all countries – poor, rich, and middle-income – to promote prosperity while protecting the planet. They recognize that ending poverty must go hand-in-hand with strategies that build economic growth and address a range of social needs including education, health, social protection, and job opportunities, while tackling climate change and environmental protection.

"Goal 14 is about conserving and sustainably using the oceans, seas, and marine resources. Healthy oceans and seas are essential to human existence and life on Earth. They cover 70 percent of the planet and provide food, energy, and water. The ocean absorbs around one-quarter of the world's annual carbon dioxide (CO<sub>2</sub>) emissions, thereby mitigating climate change and alleviating its impacts."

Under the subsections "14.1 By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution" directly address the shipbreaking units and related activities. "14.2 By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans". This must be read together with "14.3 Minimise and address the impacts of ocean acidification, including through enhanced scientific cooperation at all levels", which directly addresses issues of mariculture and other forms of coastal aquaculture fisheries.

From the current study's perspective, it is hence important to look at the impact of the two industries on SDGs. Much has already been addressed about the shipbreaking industry. The aquaculture industry on the other hand does not come across as one destructive to fishing and instead is seen as promoting fishing and fisheries production. However, as the study points out, the aquaculture industry has huge costs on the environmental, labour and pollution front – other than the social stratification it promotes. Culturally, it takes away the ethos and values from the traditional artisanal fisheries and makes fishing an industrial activity aimed at profits and higher yields.

One of the core concerns under the SDG charter on oceans is "14.B Provide access for small-scale artisanal fishers to marine resources and markets". This clearly is the case that must be argued for the Dalit fishers of Muthupettai. Trapped in a casteist society, and a communally polarised one at that, the Dalit fishers lack both the recognition as artisanal fishers and are denied access to the markets.





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## E. ENVIRONMENTAL IMPACTS

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The use of antibiotics and chemical fertilisers, like in poultry, dairy, and some forms of agriculture, adds to the potential threat from fish and shrimps cultured in aqua farms. The nutritional value is not only compromised but reversed, with the addition of poisonous contents. Environmentally, these external value additions to the aquaculture farms damage the land and compromise its quality along with that of groundwater. A study by the People for Ethical Treatment of Animals (PETA) points out that, "Fish farms, or 'aquafarms' discharge waste, pesticides, and other chemicals directly into ecologically fragile coastal waters, destroying local ecosystems. And aquaculture farms that raise fish directly in fenced-in areas of natural waters kill off thriving natural habitats by overloading them far beyond their capacity. Waste from the excessive number of fish can cause huge blankets of green slime on the water's surface, depleting oxygen and killing much of the life in the water."<sup>21</sup>

According to the journal Science, a 2-acre salmon farm produces as much waste as a town of 10,000 people. Salmon farms in British Columbia were found to be producing as much waste as a city of half a million people. Hence, the ecological sustainability of aquaculture stands thoroughly exposed and its advantages far outweigh the disadvantages and dangers it poses. The contribution of aquaculture to global GHGs, particularly CO<sub>2</sub>, emissions in 2010 was estimated at 385 million tons, ~7% of the agricultural sector's contribution that year. There is still a gap in existing knowledge regarding the pathways and contribution of aquaculture production to global GHGs emissions, which requires further investigations.

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## F. SOCIO-CULTURAL IMPACTS

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The impact of Aquaculture vis-à-vis caste is least analysed till now in the academic arena. This needs further investigation and studies. The pattern of land holdings and ownership is the only available aspect based on which the social and caste relationship in aquaculture can be currently construed. This study suggests that the upper and middle castes that have substantial land ownership advantages get the maximum benefit from schemes and governmental policies that favour and promote aquaculture and culture/cage fisheries. Since it is an established fact that the Scheduled Caste and Scheduled Tribe communities have the least legal land ownership in rural and coastal areas, it can be summarised that the caste structure and hierarchy received tremendous impetus by aquaculture farms, wherein the 'lower' communities continue to be choiceless workers exposed to the chemical and antibiotic filled environment, while the profits of such an environmentally damaging industry are largely accrued by 'upper', land owning communities.



## RECOMMENDATIONS FROM THE STUDY

The two coastal industries subject to study in this report are:

1) The Shipbreaking unit at Alang, Gujarat, and

2) The Aquaculture industry.

It is important to assess both these labour-intensive industries from the point of view of the environment & sustainable futures, labour norms and livelihood of affected communities. All of these must collectively also take into account the increasing pressure of the climate crisis on coastal and oceanic communities.

The recommendations are broadly divided into two parts. The first part of the recommendation focuses on the Shipbreaking industry in Alang, Gujarat, looking at it from the perspective of caste for the migrant workers mainly from the states of Uttar Pradesh, Bihar, Jharkhand, Orissa, and Madhya Pradesh. The second part of the recommendations emphasises on the Dalit fishers from Muthupettai in Chennai assessing it from the perspective of caste, labour norms, and livelihood of the affected communities, particularly women. The recommendations include long-term, short term and immediate responses to what the study has captured.

1.
  - A. Complete shutdown of the shipbreaking industry and its auxiliary sector is an important part of the recommendations that fall within the framework of Business & Human Rights. The study endorses the fact that the shipbreaking industry forms one of the worst employers, a worse polluter and a regressive sector that is aimed at the continuation of the colonial legacy of the developing world sacrificing itself to clean up the dirt of the developed world. In the climate crisis era, allowing the shipbreaking industry to legally operate from labour-cheap countries like India, is an appalling phenomenon.
  - B. The Alang shipbreaking industry employs migrant labour in such a way that it is evidently much worse than some of the available instances of bonded labour in the whole of South Asia. Almost all such migrant labourers are sourced from the central eastern states (entirely non-Gujarati), and from Dalit communities. The workers in the sector need to be rehabilitated by the Government of India and the Government of Gujarat in sustainable labour practices and sectors. Ending the ill practices of bonded/contractual labour is the only way in which the 'Dalits' workers can ever be brought back to dignity in labour.



- C.** Right to Association<sup>22</sup> : In this case, unionisation is an integral right of the workforce in any industrial sector. The fact that such a right is non-existent to the Alang migrant workers brings the extent of modern-day slavery involved in their professional engagement. This needs immediate correction.
- D.** Right to Life and Right to Livelihood with dignity are fundamental to the letter and spirit of the Constitution of India. The fact that this is missing in the Alang shipbreaking industry, is a strong pointer to the extent of poverty and unemployment faced by the people of certain states in the country. This raises serious issues about the lack of governmental patronage such historically oppressed (SC and other backward) communities are receiving.
- E.** The shipbreaking business is an informal sector and a hazardous enterprise; consequently, we strongly demand that every migrant worker be legally registered and be provided with the ESIC and PF benefits because it is seen that several workers are not registered and are devoid of the facilities of the ESIC and PF. A bottom-up strategy is increasingly important while adhering to ILO laws and regulations.
- F.** In Alang, workers should have access to work and health safety, which is lacking, and they should not be treated merely as labourers. The government's intentional desire to carry out the SDGs on the ground is crucial because India is a key signatory to the SDGs.

## 2

- A.** The very statistics that must help researchers understand communities and their socio-cultural base, are questionable when it comes to the people of Muthupettai. The NSSO census statistics is flawed, confusing and erroneous with differentiated data and on the other hand, the fisheries census by the CMFRI adds on to the confusion and errors. If one of the more known Dalit traditional fisher village's reliable data itself is not available in the national research sources, it speaks volumes about the priorities of governments and research agencies. We strongly demand that the current NSSO census statistical data be provided in the public domain, and also genuine fisheries census by the CMFRI be provided for the public view and information. It is recommended that the overlapping, errors, and confusions on terminologies be reviewed in the previous one and provided with clear and transparent data.





- B.** Subsequent to land, the collective and individual rights of the Dalit fishing community need to be settled – with demarcated rights recognised. These include their social and legal identity as a fisherman, fishing rights, settlement, and housing rights, right to public education and public healthcare, right to way and right to a clean environment.
- C.** Ensure the ethical fishing rights of the people in the ocean. Their right to livelihood should not be interfered with by the rules and regulations imposed by any government departments such as Forest.
- D.** Women's rights need to be specially emphasised in the given situation, especially their right over the fish market/marketing rights by ensuring the formation and the strengthening of the women's collectives in the governing body of the Market. Women of Muthupettai are engaged in various aspects of the fisheries-related livelihood. However, they continue to collect, process, and sell sea products, without any rights assigned to them, diminishing their contribution and possibilities. The government should ensure women's rights to sell their collections directly in the first market without the pressure and influence of middlemen to sell their collections below the market price.
- E.** Intensive industrial Aquaculture is being promoted across the country by unscientific governmental and private sector initiatives. It comes from the rather simple premise that there is an easier way to produce seafood, than engaging in the riskier mode of catch fisheries, as done by traditional fishers. It clearly compromises quality for quantity. It induces the potential of higher yield, however clearly compromising the quality of seafood that Indian ocean and rivers have been known for. It also increases the risk of introducing poultry farming in the fishing sector – thereby increasing the risk of the use of chemicals, fertilisers, and antibiotics, for faster growth and increasing the weight of the produce. The fact that such grown shrimps and fish lack swimming spaces adds to underdeveloped muscles, worsened by using antibiotics mixed with feed and water. Therefore, we recommend that the government should do scrutiny over the aquaculture farms in the area and their impacts on the ocean water must be regulated and continuously monitored to reduce the damage to the ocean water and aquatic ecosystems.
- F.** We strongly recommend that the Livelihood schemes related to fishing and aquaculture should be properly scrutinised so that genuine eligible fishermen can access the schemes and they must not be denied the entitlement benefits on the grounds of not having land ownership.



## CONCLUSION OF THE STUDY

The study conducted by the NCDHR research team has ventured into three areas of thematic concern:

- ◆ The social and economic aftermath of the shipbreaking industry, especially from the prism of historically oppressed and vulnerable communities – the migrants
- ◆ The socio-cultural impacts of intensive aquaculture as promoted by the government agencies – and their impact on social hierarchy, landlessness and reinforcing of feudal class structures
- ◆ The question of caste in fisheries, from the perspective of the Scheduled Caste community of Muthupettai, whose livelihood is dependent on fishing, but whose lives are controlled in their entirety by caste factors and regressive social hierarchy.

The study is able to provide preliminary analysis into these issues by the sheer presentation of ground data, interviews and primary and secondary research. In that sense, this study is a pioneering work, for it carries the potential for further detailed studies and analysis into these three vast areas of social research.

In the case of the shipbreaking industry, the study is unequivocal in its recommendation of closing the most illegal and unethical shipbreaking work at Alang, Gujarat. However, unlike other preceding research studies on the subject, this study does not take an environmental or labour perspective alone in looking at the issue. It brings in the unique aspects of social oppression, caste discrimination, classification based on the identity of communities, and the question of occupational hazards. The study wades through the difficult terrain of fearful silences of the oppressed, in order to reach a conclusion and affirmatively and bravely suggest ways forward.

With regard to the fast-growing intensive coastal aquaculture, the study is unable to give a strong recommendation to the tune of closing down this environmentally and socially destructive industry. This comes from the fact that the study was conducted in a peripheral fashion with limited exposure to all stakeholders. Hence, the study does not enter into the more complex questions about the aquaculture industry and its efforts at alienating the fishers from the 'catch' fisheries nor regarding how aquaculture causes serious environmental damage to the coastlands.



The study's limited character is explicit in the fact that it only addresses the issue of social stratification, landlessness, and the caste nature of beneficiaries of the promotion of aquaculture and fish farming. The study is hence a clarion call for in-depth studies and analysis to further understand the aquaculture industry, its promotion by state and market forces, and the impact of the same on society, culture, economy and ecology.

The study deals in length with the concerns of the Dalit fishers of Muthupettai, Tamil Nadu. The extensive interaction the research team had with the Dalit community is evident in the way the report has addressed social, ecological, cultural, economic, and religious concerns of the community and reproduced much of it through the study.

While the case of the Dalit fishers of Muthupettai is unique and the study is a pioneering effort to understand the same, the story of Dalit fishers on the Indian coast is not unique. There are many small Dalit communities, along with the traditional fishing community (recognized under the constitution as OBC or BC), which have been inhabiting the coasts and engaging in fishing and related activities for many decades, if not centuries. The livelihood and future occupation of such communities, like that of the Muthupettai Dalit community is dependent on the question of land rights and protection from climate crisis and disasters. The reality is that without established legal land rights, these communities will not even have the status of climate refugees when they lose their shores. At a time when the other traditional fishing communities across India have started staking the claim for coastal land rights, through a law similar to the Forest Rights Act 2006, it is important that the Dalit fishers are brought into the fold and recognized as fishing communities and ocean people.

It is important for a social research project to be able to stitch together the different aspects of social, cultural, economic, and ecological concerns of affected communities, and bring in perspectives like that of labour. However, in a casteist society with clear ladders of social stratification preceding others, it is important to understand and analyse the question of caste and its impact on other diverse issues. This study has attempted to do precisely that in all the three thematic areas it tried to cover.

The study is submitted to all concerned readers and researchers with an aim to secure more work on these concerned areas in the coming times.





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## FOOTNOTES

<sup>1</sup>International Federation for Human Rights Reports "Investigative Mission: Where do the Floating Dustbins ends up?" December 2002

<sup>2</sup>A successful Movement against a nuclear power plant in Gujarat, please see <https://thewire.in/economy/mithivirdi-movement-gujarat> for further information

<sup>3</sup>PDS is an Indian Food Security System that was established by the Government of India under the Ministry of Consumer Affairs, Food and Public Distribution to distribute food and non-food items to India's poor at subsidised rate. For more information please see: [https://nfsa.gov.in/portal/PDS\\_page](https://nfsa.gov.in/portal/PDS_page)

<sup>4</sup>Government of India launched the Direct Benefit Transfer (DBT) Program on 1st Jan 2013 to directly transfer the benefits to the under-privileged population covered under 34 central schemes.

<sup>5</sup>[https://www.worldwidejournals.com/paripex/recent\\_issues\\_pdf/2012/September/is-Alang-shipbreaking-yard-formal-or-informal-sector\\_September\\_2012\\_9595155547\\_3404468.pdf](https://www.worldwidejournals.com/paripex/recent_issues_pdf/2012/September/is-Alang-shipbreaking-yard-formal-or-informal-sector_September_2012_9595155547_3404468.pdf)

<sup>6</sup>Key Informant Individuals

<sup>7</sup><https://www.mondaq.com/india/climate-change/1177214/ship-recycling-in-india--regulatory-framework>

<sup>8</sup>The Kerala Swatantra Matsyathozhilali Federation (KSMTF, or the Kerala Independent Fishworkers Federation) is a trade union of small-scale artisanal fishers of the state OF Kerala in South India. For more Information please see: <http://www.keralafishworkers.in/>

<sup>9</sup>Goenchea Ramponkarancho Ekvott GRE Goa, not much information available

<sup>10</sup>Maharashtra Macchimar Kruti Samiti (MMKS), an Organisation fighting for the rights of the fishermen. For more details, Please see: <https://www.icsf.net/samudra/remembering-rambhau/> AND <https://www.icsf.net/samudra/a-platform-for-action/>



<sup>11</sup>Orissa Traditional Fish Workers Union (OTFWU) represents the interests of fishworkers of the traditional sector in all six coastal districts of Odisha. For more information please see: <http://uaaodisha.org/otfwu/otfwu.aspx>

<sup>12</sup><https://jurnal.unej.ac.id/index.php/GEOSI/article/view/28077/11728>

<sup>13</sup><https://www.geospatialworld.net/article/status-of-mangroves-in-muthupet-southeast-coast-of-india-a-remote-sensing-approach/>

<sup>14</sup>[http://eprints.cmfri.org.in/8056/1/Marine\\_Fisheries\\_Information\\_Service\\_Vol\\_75.pdf](http://eprints.cmfri.org.in/8056/1/Marine_Fisheries_Information_Service_Vol_75.pdf) 1987

<sup>15</sup>[https://d1wqtxts1xzle7.cloudfront.net/66249950/TRC\\_OccupationOfCoast\\_Il\\_Webversion-libre.pdf?1618260784=&response-content-disposition=inline%3B+filename%3DOccupation\\_of\\_the\\_Coast\\_Il\\_The\\_puzzle\\_of.pdf&Expires=1681049485&Signature=BTdU8TA4vZWUjMPpdFnLbUDD1ghLPfzFrvbZlr9tX6TfZH09qpo1UD5ZZen45PnldM5c2PwJ147nPP5b-ZHblqQQvI7EJpBZ-x5ON4g1H-nMSL5CwTsd5WkwVspgTET6V3Fhv~16~K~RymbXq1oHq2hpKEI-Cj6N0EamJgXtV2aySiyJWCnbQd-Qmiwx-RL~PhMWVjAe5CqV6aLarDWVd8RvwHrCbC4T~va7sxsBMLwamu9DiVLTTFskByWeYpxXdZZ-wNlU6L-JMwfsnOsvLh7nvAMjUAnw6T329S-4ccmBJbgLz1oRY2dl6uFS7qqJyKwntsMqiUQmlij7nBqzoQ\\_\\_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA#page=83](https://d1wqtxts1xzle7.cloudfront.net/66249950/TRC_OccupationOfCoast_Il_Webversion-libre.pdf?1618260784=&response-content-disposition=inline%3B+filename%3DOccupation_of_the_Coast_Il_The_puzzle_of.pdf&Expires=1681049485&Signature=BTdU8TA4vZWUjMPpdFnLbUDD1ghLPfzFrvbZlr9tX6TfZH09qpo1UD5ZZen45PnldM5c2PwJ147nPP5b-ZHblqQQvI7EJpBZ-x5ON4g1H-nMSL5CwTsd5WkwVspgTET6V3Fhv~16~K~RymbXq1oHq2hpKEI-Cj6N0EamJgXtV2aySiyJWCnbQd-Qmiwx-RL~PhMWVjAe5CqV6aLarDWVd8RvwHrCbC4T~va7sxsBMLwamu9DiVLTTFskByWeYpxXdZZ-wNlU6L-JMwfsnOsvLh7nvAMjUAnw6T329S-4ccmBJbgLz1oRY2dl6uFS7qqJyKwntsMqiUQmlij7nBqzoQ__&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA#page=83)

<sup>16</sup>[https://caa.gov.in/uploaded/doc/ORDER%20-%20Exemption%20of%20the%20establishment%20and%20operation%20of%20coastal%20aquaculture%20hatcheries%20within%20200%20m%20from%20the%20High%20Tide%20Line%20\(HTL\).pdf](https://caa.gov.in/uploaded/doc/ORDER%20-%20Exemption%20of%20the%20establishment%20and%20operation%20of%20coastal%20aquaculture%20hatcheries%20within%20200%20m%20from%20the%20High%20Tide%20Line%20(HTL).pdf)

<sup>17</sup><https://tnsdma.tn.gov.in/app/webroot/img/document/library/16-Coastal-Zone-Management-Plan.pdf>

<sup>18</sup>[https://greentribunal.gov.in/sites/default/files/news\\_updates/921\\_0.pdf](https://greentribunal.gov.in/sites/default/files/news_updates/921_0.pdf)

<sup>19</sup>[https://greentribunal.gov.in/sites/default/files/news\\_updates/9120%20Report.pdf](https://greentribunal.gov.in/sites/default/files/news_updates/9120%20Report.pdf)

<sup>20</sup><https://www.fisheries.tn.gov.in/Aquaculture>

<sup>21</sup><https://www.peta.org/about-peta/faq/is-aquaculture-bad-for-the-environment>

<sup>22</sup><https://www.ilo.org/global/topics/dw4sd/themes/freedom-of-association/lang--en/index.htm>





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# NOTES

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Photo: Gautam Ramuvel via Unsplash







'A labourer not only wants equality but he needs liberty also, it is really intolerable and detrimental where system proposes equality but denies liberty. The constitution in which equilibrium, of the both is established, it is the ideal constitution for the labourers.'

~ Dr Babasaheb Ambedkar



**National Campaign on Dalit Human Rights**  
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