

MP-IDSA

Issue Brief

India's Maritime Security: Five Concerns

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S*ummary*

The appointment of the country's first National Maritime Security Coordinator (NMSC) reflects serious intent of the Government of India (GoI) to address maritime security challenges and is a step in the right direction. There are some critical issues that need to be addressed by the NMSC, which may require a substantial overhaul of India's maritime security construct, to ensure better governance of the maritime domain.

Introduction

The appointment of India’s first National Maritime Security Coordinator (NMSC) reflects seriousness to address maritime security challenges. It fulfils a long outstanding recommendation made by the Group of Ministers (GoM) in 2000, to set up an apex body for management of maritime affairs.¹ The NMSC under the National Security Advisor (NSA) will go a long way in streamlining maritime governance and enable development of the maritime sector. The Mumbai serial blasts (1993) and the Mumbai terror attacks (2008) that claimed over 250 and 175 lives respectively, happened because India’s maritime borders were not impermeable.

More recently, on 12 January 2018, in an illegal migration case, about 243 people left India from Munambam harbour in Kerala, on a fishing boat.² As the incident came to light by noon,³ the Indian Coast Guard (ICG) launched an intensive search operation using ships, hovercraft and aircraft.⁴ However, despite its Coastal Surveillance Network (CSN), comprising a chain of static sensors having radars, an Automatic Identification System (AIS), day/night cameras and meteorological sensors at 46 locations to achieve near gap-free surveillance of the entire coastline,⁵ the investigation hit a dead end with no clues about the whereabouts of the missing people, boat and the kingpins behind the voyage.⁶ It led the High Court of Kerala to remark the matter as a serious issue with ramifications for national security.⁷ Despite several initiatives, therefore, this incident proves that maritime borders continue to remain porous.

Present Maritime Security Mechanism

Post-Mumbai attacks in 2008, an overhaul of the maritime security apparatus was witnessed with “emphasis on surveillance, intelligence gathering and information sharing amongst the various stakeholders”.⁸ In February 2009, the Cabinet Committee on Security (CCS) vested the overall responsibility of maritime security

¹ [“Group of Ministers’ Report on ‘Reforming the National Security System’](#)”, Press Information Bureau, Government of India, 23 May 2001.

² Anantha Narayanan K, [“Kerala: Munambam Boat People Still a Mystery”](#), *The Times of India*, 15 January 2020.

³ Ibid.

⁴ [“Question No. 5139 Illegal Migration”](#), Lok Sabha, Unstarred Question No. 5139, Ministry of External Affairs, Government of India, 24 July 2019.

⁵ [“Coastal Security”](#), Indian Coast Guard, Ministry of Defence, Government of India.

⁶ Anantha Narayanan K, no. 2.

⁷ [“Kerala to Explain on Munambam Trafficking Case”](#), *Deccan Chronicle*, 16 March 2019.

⁸ “Coastal Security”, no. 5.

with the Indian Navy (IN), including coastal security and offshore security.⁹ The ICG was made responsible for coastal security in territorial waters, including areas to be patrolled by the Coastal Police, and given the task of overall coordination between the state and the central agencies. The Ministry of Home Affairs (MHA) has implemented a comprehensive Coastal Security Scheme to strengthen security infrastructure and capabilities of police of coastal states. Coastal security is also reviewed periodically with all stakeholders by the National Committee for Strengthening Maritime and Coastal Security (NCSMCS), constituted under the Chairmanship of Cabinet Secretary.¹⁰

Currently, coastal security of India is governed by a three-tiered structure. The IN patrols the International Maritime Boundary Line (IMBL), while the ICG is mandated to do patrolling and surveillance up to 200 nautical miles (i.e., EEZ). Simultaneously, the State Coastal/Marine Police (SC/MP) performs boat patrolling in shallow coastal areas.¹¹ The SCP have jurisdiction up to 12 nautical miles from the coast; and the ICG and the IN have jurisdiction over the entire maritime zone (up to 200 nautical miles), including the territorial waters (with the SMP).¹² The Border Security Force (BSF) is deployed in the creek areas of Gujarat and Sundarbans in West Bengal.

This Issue Brief examines some of the fundamental deficiencies that may need to be addressed by the NMSC upfront.

I: Fragmented Approach to India’s Maritime Border Management

A diffused approach gives rise to overlapping jurisdiction and lack of unity of command in maritime border guarding. It is, therefore, pertinent to foremost understand the differences between land and maritime border-guarding mechanisms.

Land and Maritime Border Guarding

Management of international land and coastal borders¹³ fall within the exclusive purview of MHA. Securing India’s 15,106.7 km of land borders with seven countries¹⁴ while facilitating legitimate trade and commerce are among the principal objectives

⁹ [“Report of the Group of Ministers on National Security”](#), Vivekananda International Foundation.

¹⁰ [“Unstarred Question No. 6141, Expenditure on Coastal Security”](#), Lok Sabha, Home Affairs, Government of India, 11 April 2017.

¹¹ [“Unstarred Question No. 300, Review of Coastal Security”](#), Lok Sabha, Ministry of Home Affairs, Government of India, p. 4.

¹² Ibid., p. 3.

¹³ Excluding those specifically allocated to Ministry of Defence (MoD) and Ministry of External Affairs (MEA).

¹⁴ Bangladesh, China, Pakistan, Nepal, Bhutan, Myanmar and Afghanistan.

of border management.¹⁵ To fulfil its mandate, four of the seven Central Armed Police Forces (CAPF) under the MHA have been specifically constituted for this purpose under their respective Acts.

India shares maritime boundaries with seven countries, which also need to be secured.¹⁶ However, unlike the land borders, the maritime boundaries cannot be fenced. Also, unlike the land boundaries that enclose only sovereign territory, the 1982 United Nations Convention on the Law of the Sea (UNCLOS), to which India is a party, entitles a country to maritime zones such as the Territorial Sea (TS), Exclusive Economic Zone (EEZ) and the Continental Shelf (CS). As one moves seawards from the baseline,¹⁷ these maritime zones have sliding jurisdiction, from a fully sovereign space in the TS (with some exceptions) to sovereign rights and jurisdiction in the EEZ and the CS. This complicates maritime border guarding since sovereign rights and jurisdiction of the littoral state need to be exercised with due regard to the rights of freedom to use seas by the vessels and aircraft of other states, including those of navigation and overflight.

One Border One Force

The Group of Ministers (GoM)¹⁸ set up in April 2000 was tasked to review the national security system in its entirety and in particular, to consider the recommendations of the Kargil Review Committee and formulate specific proposals for implementation.¹⁹ Among the four Task Forces set up by the GoM, one headed by Dr Madhav Godbole was focused specifically on border management.²⁰ The Task Force recommended, *inter alia*, that to enforce accountability, the principle of ‘one border one force’ may be adopted while considering the deployment of forces at the border.²¹ The manning of land borders by the respective border guarding forces is independent of the boundaries of hinterland Indian Border States. However, in the maritime domain, the system fragments India’s frontiers, which is made up of coastlines of nine states and four union territories.

¹⁵ **[“BM-1 Division, Department of Border Management”](#)**, Ministry of Home Affairs, Government of India, 10 March 2021.

¹⁶ Pakistan, Maldives, Sri Lanka, Indonesia, Thailand, Myanmar and Bangladesh.

¹⁷ It is the reference line from which all maritime entitlements of a nation are generated.

¹⁸ The GoM, under the Chairmanship of Shri L.K. Advani, also included the Defence Minister, External Affairs Minister and Finance Minister.

¹⁹ “Group of Ministers’ Report on ‘Reforming the National Security System’”, no. 1.

²⁰ “Report of the Group of Ministers on National Security”, no. 9.

²¹ Ibid.

Conflates Policing with Maritime Border Guarding

Border guarding is part of the Union List²² while public order and Police are part of the State List. The former falls under the purview of the MHA with CAPFs assigned the task to guard the borders. However, in the maritime domain, assigning responsibility for patrolling and surveillance of coastal areas up to 12 nautical miles (presently limited to 5 nm because of capacity constraints) to the SCP under the nine coastal states/UTs, firstly fragments the maritime border guarding and secondly, erroneously conflates the responsibility of law and order (State List) with maritime border guarding (Union List). This also leads to the problem of overlapping jurisdiction between the IN, ICG and the SCP and a lack of unity of command at the ministry and force level.

It could be argued that the IN has been made responsible for overall Maritime Security, and ICG given the responsibility for overall coordination between the State and the Central agencies. However, both the IN and ICG are under the Ministry of Defence (MoD) and not the MHA, the nodal ministry responsible for border management. The GoM observed that while land borders have from time to time received the government’s attention, the same cannot be said of the coastal areas which have remained largely unprotected and unguarded. The GoM also recommended a holistic approach to formulate a comprehensive strategy towards the improvement of border management.²³

Coastal Security Not Addressed Comprehensively by Task Force

While the Task Force made comprehensive recommendations in respect of land border management, the same was not evident in its recommendations for coastal security. To illustrate, the GoM recommended that for it to be able to play its role effectively, Assam Rifles (AR) should be placed under the complete control of the MHA.²⁴ However, the Task Force did not consider it necessary to shift the ICG from the MoD to MHA nor recommended the creation of a separate force under the MHA solely for the purpose of maritime border guarding. On the other hand, it recommended that the ICG may report to the Defence Secretary, rather than to the Chief of Naval Staff.²⁵

IN and ICG under Different Departments in MoD

In 2019, the Government of India (GoI), in a landmark decision, created the post of Chief of Defence Staff (CDS) in the rank of a four-star General.²⁶ The CDS was also

²² Constitution of India, Seventh Schedule (Article 246).

²³ “Report of the Group of Ministers on National Security”, no. 9.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

mandated to head the Department of Military Affairs (DMA), created within the MoD and function as its Secretary.²⁷ However, while the Army, Navy and Air Force were placed under the DMA, in a conspicuous anomaly, the ICG was placed under the MoD.²⁸ This was despite the GoM Report noting the requirement for coordination between the IN and the ICG in both peace and war.²⁹

II: Security of Maritime Borders is not ICG’s Primary Duty

The second fundamental deficit is that *ensuring the security of maritime borders* is not the primary duty of ICG. This is prescribed in the governing Act of every other border guarding force in India, whether AR, BSF, Indo-Tibetan Border Force (ITBP) or the Sashastra Seema Bal (SSB). Instead, ICG is mandated for *ensuring the security of the maritime zones of India with a view to the protection of maritime and other national interests*,³⁰ as reflected in the CG Act 1978.³¹ The ICG came into being in 1977, pursuant to India promulgating the Maritime Zones of India Act (1976) and the 3rd meeting of UNCLOS (1976–82). As a result, 2.01 million square kilometres of ocean in the form of EEZ became available to India that needed to be policed. The discovery of oil in offshore Mumbai also required to be protected.³² The KF Rustamji Committee (1974), while examining the shortcomings in the existing mechanism for combating smuggling and other illegal maritime activities, recommended setting up of a Coast Guard type organisation *for general superintendence and policing* of the sea areas.³³ Further to the mandate as laid down under Section 14 of CG Act, 1978, the ICG has been entrusted with additional responsibilities.³⁴

To enable the ICG to shoulder its increased responsibilities, the GoI has substantially augmented the force in terms of its capabilities, infrastructure, assets and manpower. In 2021–22, the capital budget of ICG witnessed an increase of 60.24 per cent,³⁵ while in five years, ICG’s BE allocations have almost doubled,³⁶ to Rs 7310.29

²⁷ Ibid.

²⁸ “Group of Ministers’ Report on ‘Reforming the National Security System’”, no. 1.

²⁹ “Report of the Group of Ministers on National Security”, no. 9.

³⁰ For: (a) safety and protection of artificial islands, offshore terminals, installations and other structures; (b) providing protection to fishermen including assistance to them at sea while in distress; (c) preservation and protection of the maritime environment and prevention and control of marine pollution; (d) assisting the customs and other authorities in anti-smuggling operations; and (e) enforcing the provisions of enactments.

³¹ [“Article 14: Duties and Functions of Coast Guard”](#), Coast Guard Act, 1978, Ministry of Defence, Government of India.

³² [“History: Indian Coast Guard”](#), Ministry of Defence, Government of India.

³³ Ibid.

³⁴ [“Standing Committee on Defence \(2021-22\)”](#), Seventeenth Lok Sabha, Ministry of Defence, Government of India, March 2022.

³⁵ Ibid. From Rs 2650 crore in FY 2021–22 to Rs 4,246.37 crore in FY 2022–23.

³⁶ From Rs 4029.79 crores in FY 2017–18 to Rs 7310.29 crores in FY 2022–23.

crore. Between 2011 and 2022, the sanctioned and borne strength in ICG have also increased by 36.2 and 61.26 per cent respectively.³⁷ Similarly, ICG ships and air assets have increased by 40.9 and 34.6 per cent in the same period. Reflecting the government’s concern for the enhancement of coastal security, the growth has been greater for assets suitable for operation closer to the coast, in shallower waters, with the air cushion vessels and interceptor boats registering an increase of 266 and 246 per cent respectively.³⁸

However, despite the substantial augmentation of the ICG, especially for coastal security, if there is little significant improvement in the state of affairs, it merits a more comprehensive examination. It must be noted that the ICG was not set up as an agency to guard India’s maritime borders in the first place but for policing and general superintendence of India’s maritime areas. This role is only likely to grow as India’s Continental Shelf is delineated and our EEZ expands to almost equal to the land territory area of the country. With ICG already stretched in its primary roles, coastal security, not being their primary tasking, would further get short shrift. If ICG is to be responsible for maritime borders, guarding them ought to be its primary function as is with CAPFs tasked with land borders. While it may be argued that the CAPFs are also occasionally deployed for counter-insurgency operations and internal security duties, it is more an exception than a rule. Their primary task remains unwaveringly to ensure security of India’s borders.

Way Ahead

The mitigating solution that may be considered is to create a separate force by splitting the maritime border guarding function and the associated infrastructure, assets and the manpower of the ICG and placing it under the administrative control of the MHA. A similar option was exercised during the creation of the ICG, when two frigates and five patrol boats were transferred from the IN for setting up the new force.³⁹ The other option would be the *de novo* creation of a separate maritime border guarding force under MHA. All the assets and manpower that have been sanctioned to the ICG on account of additional responsibility for coastal security may be assigned to the new force.

III: Unclear Definitions and Diffused Responsibilities

Other than Baseline, the terms Maritime Security, Coastal Security, Offshore Security, and Coastline are not defined in any statutory document such as the Navy Act 1957 or the CG Act 1978. These are also not defined in the CCS directive of 2009. This often results in a lack of clarity in jurisdiction between the IN, ICG and the SCP.

³⁷ “Standing Committee on Defence (2021-22)”, no. 34.

³⁸ Author’s analysis, “Standing Committee on Defence (2021-22)”, no. 34.

³⁹ “History: Indian Coast Guard”, no. 32.

Maritime and Coastal Security

Maritime security has been defined in the *Indian Maritime Doctrine* (IMD) as relating to the *freedom from threat at or from the sea*.⁴⁰ The *Indian Maritime Security Strategy* (IMSS), an official publication of the IN, lists the aims and objectives of India’s maritime security.⁴¹ The IMSS defines Offshore Security as relating to the safety and protection of offshore assets, including artificial islands, offshore terminals, installations and other structures and devices in the EEZ.⁴² Although the IMD does not define coastal security, the IMSS defines it as a subset of maritime security,⁴³ focused on the coastal waters.⁴⁴ The coastal waters are considered, for the purpose of IMSS, as the water area seawards of the Indian coast up to the limit of India’s Contiguous Zone (CZ) which are at 24 nautical miles from the baseline, or the International Maritime Boundary Line (IMBL), in case the latter is nearer.⁴⁵

Three incongruities appear as a result. First, as per the CCS directive of 2009, the ICG is responsible for Coastal Security only in TS, i.e., 12 nautical miles from the baselines. However, the coastal waters have been defined stretching up to 24 nautical miles, i.e., up to the CZ. This, therefore, leaves a gap of a band of 12 nautical miles around the Indian landmass, between the TS and the CZ, which comes under the IN, even though it is doctrinally defined as being part of Coastal Security (the purview of the ICG). Additionally, the GoI reply in Lok Sabha⁴⁶ stating that the ICG is mandated to do patrolling and surveillance up to 200 nm, reflects the lack of clear division of roles and responsibilities between the IN, ICG and the SCP.

Disparities in Responsibilities

IN being responsible for the overall maritime security, and responsible for the area between 12 and 200 nautical miles, makes it accountable for a much larger ocean area despite its limited size. The disparity is evident—the ICG which is responsible for an area only up to the TS has a force level of 158 surface platforms,⁴⁷ while the IN responsible for the waters between the TS and EEZ, including the much bigger

⁴⁰ [“Indian Maritime Doctrine, Indian Navy, Naval Strategic Publication 1.1”](#), Indian Navy, 2009.

⁴¹ [“Ensuring Secure Seas: Indian Maritime Security Strategy”](#), Indian Navy, Naval Strategic Publication (NSP) 1.2, October 2015.

⁴² Ibid.

⁴³ Encompassing maritime border management, island security, maintenance of peace, stability and good order in coastal areas and enforcement of laws therein, security of ports, coastal installations and other structures.

⁴⁴ “Ensuring Secure Seas: Indian Maritime Security Strategy”, no. 41.

⁴⁵ Ibid.

⁴⁶ “Unstarred Question No. 300, Review of Coastal Security”, no. 11.

⁴⁷ “Standing Committee on Defence (2021-22)”, no. 34.

charter of maritime and coastal defence, has a force level of 130 ships and submarines.⁴⁸

Offshore Security

As far as offshore security is concerned, there is a Flag Officer Defence Advisory Group (FODAG) of IN, constituted on 31 December 1983, tasked to advise the GoI including the Ministries of Petroleum and Natural Gas (MoPNG), Ports, Shipping and Waterways (MoPS&W), Civil Aviation (MoCA) and MoD on all planning and policy aspects of offshore security and defence covering TS, CS, EEZ and other Maritime Zones of India.⁴⁹ On the other hand, the Director General, ICG is the Chairman of Offshore Security Coordination Committee (OSCC) constituted by the MoPNG, tasked with implementation of security policies, threat assessment and task assignment, preparing contingency plans and executing them when necessary for offshore security.⁵⁰ While the CG Act 1978 assigns the responsibility for safety and protection of artificial islands, offshore terminals, installations and other structures to the ICG, the CCS directive of 2009 and the creation of FODAG assigns IN the responsibility of offshore security leading to diffused responsibility between the IN and the ICG.

Coastline and Baseline

The other incongruity is regarding the use of terms ‘coastline’⁵¹ and ‘baseline’.⁵² The SCP’s responsibility for patrolling up to 12 nautical miles from the coastline assumes that it is the same as baseline. India notified the baselines for the Indian mainland, Lakshadweep Islands and Andaman & Nicobar Islands (West) by using a system of normal and straight baselines, by a gazette notification on 11 May 2009.⁵³ In many cases, such as in the Gulfs of Kutch and Khambhat on the West coast and off Wheeler Island on the East Coast, straight baselines have been used, and the distance between the baseline and the coastline is more than 200 kilometres. This leaves large swathes of water areas unpoliced and without jurisdiction.

⁴⁸ Ibid.

⁴⁹ **“FODAG”**, Indian Navy.

⁵⁰ The terms of reference of the Committee are: implementation of security policies, threat assessment and task assignment, preparing contingency plans and executing them when necessary for offshore security.

⁵¹ A geographical term which essentially means boundary of land and sea at their meeting point.

⁵² A legal term, defined by UNCLOS and is the starting line from which the seaward maritime entitlements of a coastal state such as the TS, CS and EEZ are measured. In the normal course, the normal baseline is the line that follows the low-water line of a coastal state. However, in case of a deeply indented coast, the baseline is drawn differently, referred to as a straight baseline. There are also archipelagic baselines to be followed by archipelagic states.

⁵³ **“The Gazette of India, No. 736”**, 11 May 2009.

IV: Lack of Parameters for Measuring Efficacy of Coastal Security Measures

The fourth deficit is lack of means to measure the efficacy of the maritime/coastal security measures.

Coastal Security Scheme

This was formulated by the MHA to strengthen the infrastructure of SC/MP for patrolling and surveillance of coastal areas, particularly in shallow water areas close to the coast. The scheme also aimed at establishing institutional arrangements at State and District levels for coordination among various agencies including the ICG and the IN.⁵⁴ CSS comprises Phases I⁵⁵ and II⁵⁶ cumulatively amounting to an outlay of Rs 2225.91 crores and provision of 204 Coastal Police Stations (CPSs), 97 check posts, 58 outposts, 30 barracks, 60 jetties, 10 Marine Operational Centres, 429 interceptor boats, 284 four-wheelers and 554 motorcycles.⁵⁷

State Coastal/Marine Police

The marine elements of the state police were formed in all coastal states and UTs in the latter half of the 2000s.⁵⁸ SC/MP has been activated through the CSS (Phase I & II/2005-20) and is being equipped to patrol and guard the TS (up to 12 nautical miles). The Island Security Scheme (March 2018) is also being implemented. One designated CPS in every state now exercises criminal jurisdiction in international waters, compared to only two police stations earlier (one on each coast).

ICG Initiatives

The ICG undertakes various initiatives towards enhancement of its mandated responsibility towards Coastal Security.⁵⁹ These include promulgation of Standard Operating Procedures (SOPs) for effective coordination amongst all stakeholders,

⁵⁴ [“Standing Committee on Defence \(2011-2012\)”](#), Fifteenth Lok Sabha, Ministry of Defence, Government of India, December 2011.

⁵⁵ [“Coastal Security Scheme”](#), Ministry of Home Affairs, Government of India, 2019.

⁵⁶ Ibid.

⁵⁷ The CSS Phase-I was approved by the Cabinet Committee on Security (CCS) in January 2005 for implementation over five years starting from 2005–06 and outlay of 646 crores. Under the scheme, Coastal States/UTs were provided 73 Coastal Police Stations (CPSs), 97 check posts, 58 outposts, 30 barracks, 204 interceptor boats, 153 jeeps and 312 motorcycles. CSS Phase II was approved for implementation from 1 April 2011 to 31 March 2016 further extended to 31 December 2020 with an outlay of 1579.91 crores. Under the CSS-II, Coastal States/UTs were sanctioned 131 CPSs, 60 jetties, 10 Marine Operational Centres, 225 boats, 131 four-wheelers and 242 motorcycles.

⁵⁸ Captain Himadri Das, [“Marine Policing and Maritime Security in India: Evolving Dimensions”](#), National Maritime Foundation, 25 November 2021.

⁵⁹ “Standing Committee on Defence (2021-22)”, no. 34.

coastal security exercises⁶⁰ in coordination with IN, SCP and other central and state agencies, coastal security operations,⁶¹ Special ‘Operation Sajag’⁶² training for SCP⁶³ and community interaction programmes (CIPs).⁶⁴ Further, since the ICG has been assigned the additional duties of enforcement, monitoring and surveillance of Deep Sea Fishing, Search and Rescue for mariners and Marine oil-spill response measures,⁶⁵ it would be undertaking *inter alia* Vessel Boarding Search and Seizure (VBSS) operations for interdiction of smuggling attempts, seizure of narcotics and contraband, and apprehension of fishermen from Pakistan and Sri Lanka straying into Indian waters. The SCP would similarly be engaged in arrests and seizure of contraband, prevention of illegal migration, seizure of arms and contraband, trafficking and anti-smuggling and theft operations.

NCRB Annual Crime Data

The policing and constabulary functions undertaken by the ICG and the SCP and the arrests and seizures made while undertaking them are not reflected in the annual records published by the National Crime Records Bureau (NCRB) under a dedicated Coastal Security section.⁶⁶ Apart from the list of usual crimes ranging from theft to murder, the NCRB crime data includes Cyber Crimes, Environment Related Offences, Human Trafficking, Seizures under Arms Act, Seizure of Explosives and Fake Indian Currency Notes (FICN) Seizure. It also includes crimes under the Arms Act, Explosives Act, Prohibition Act (State), Excise Act, Narcotic Drugs & Psychotropic Substances Act, Possession of drugs for Personal use/Consumption, Forest Act Wildlife Protection Act, Environmental (Protection) Act, to name a few.

⁶⁰ Since 2009, a total of 212 Coastal Security Exercises have been conducted by the ICG.

⁶¹ A total of 495 Coastal Security Operations have been conducted since 2009.

⁶² ICG undertakes this operation named every month at all coastal States/ UTs to undertake extensive boarding of fishing boats at sea, primarily for deterrence and random scrutiny of documents. Till date, 299 ‘Op Sajag’ operations have taken place.

⁶³ The ab initio training of Marine Police personnel by ICG started in 2006. The training is conducted at Coast.

⁶⁴ Since 2009, a total of 9,084 CIPs have been conducted by ICG for fishermen to generate awareness about safety and security at sea.

⁶⁵ [“Annual Report 2018-19”](#), Ministry of Defence, Government of India.

⁶⁶ The NCRB publishes annual crime records for India in a document titled ‘Crime in India’. The data is furnished by the 36 States/UTs entered at Police Station/District level. Similar data is also furnished for 53 Metropolitan Cities (population above one million). Offences in the NCRB are categorised under the various categories such as Offences Affecting the Human Body, Murder, Kidnapping and Abduction, Offences against Public Tranquillity, Crime against Women, Crime against Children, Juveniles in Conflict with Law, Crime against Senior Citizens, Crime/Atrocities against Scheduled Castes (SCs), Crime/Atrocities against Scheduled Tribes (STs), Economic Offences, Prevention of Corruption Act, Cyber Crimes, Offences against State, Environment Related Offences, Crime against Foreigners and Crime by Foreigners, Human Trafficking, Missing Persons/Children, Offences against Property, Offences Relating to Documents & Property Marks, Seizures under Arms Act, Seizure of Explosives and Fake Indian Currency Notes (FICN) Seizure.

The NCRB annual crime data also lists seizures by CAPFs separately for the border guarding forces such as the AR, ITBP, SSB and BSF, as well as the CISF and CRPF categorised under Migration for Trafficking, Seizures of Drugs, Fake Indian Currency, Explosives, Foreign Currency, Wildlife & Other Products, Seizures of Fire Arms, and Seizures of Ammunitions.

Additionally, while information is available in the public domain⁶⁷ regarding illegal cross-border infiltration and their interdiction by Indian security forces,⁶⁸ no such information with respect to maritime boundary transgressions is available. Even for issues such as straying of Pakistani and Sri Lankan fishermen across the IMBL, annual data is not available in the open domain other than the details of Indian fishermen in Pakistani and Sri Lankan jails.

Therefore, there is no way to determine the success of the implementation of CSS Phase I and II that may indicate the requirement of additional measures (if any) to be undertaken to improve its effectiveness. Also, it is difficult to determine whether substantial accretions to the ICG since 26/11, in their infrastructure, assets and manpower, have made a tangible difference in ensuring the protection of India’s maritime zones.

The efficacy and adequacy of functioning of SCP across the nine Coastal States and Union Territories and the ICG in protection of India’s maritime zones can only be measured against official data available in the public domain. While the annual crime data in the NCRB is listed State-wise and metropolitan area-wise for cities having a population greater than one million, it would be a minor modification to reflect the details of occurrence of crimes and apprehensions made in coastal areas.

V: Positive Identification and Tracking of Sub-20 Metre Vessels

To secure the maritime borders and coastlines, technical capability⁶⁹ needs to ensure that every infringement is detected. It is no easy task. The fishing boats operating in India are reckoned at 2,70,050, which includes 65,876 traditional craft, 1,36,920 motorised traditional raft and 67,254 mechanised boats, including deep sea vessels.⁷⁰ After the 26/11 Mumbai attacks, it was made mandatory by Directorate General of Shipping to put an AIS on board all vessels having length more than 20 metres. However, the challenge lies in equipping the sub-20 metre length boats

⁶⁷ [“Question No. 463, Intrusion at Border”](#), Lok Sabha Unstarred Question No. 463, Ministry of External Affairs, Government of India, 6 February 2019.

⁶⁸ As per the available information, interdicted attempts have been made by 371, 419 and 323 terrorists at cross-border infiltration in 2016, 2017 and 2018 respectively.

⁶⁹ Transponders on fishing vessels help law enforcement agencies to track their movement, know their identity as well as other information such as ownership details, port of registration, history of movement and nationality. Without them, it is akin to a blind man looking for a needle in a dark room.

⁷⁰ [“Handbook on Fisheries Statistics 2020”](#), Department of Fisheries, Ministry of Fisheries, Animal Husbandry & Dairying, Government of India.

numbering around 1.6 lakhs, which is the bulk of the fishing fleet,⁷¹ with positive identification and tracking. In 2019, the IN and Indian Space Research Organisation (ISRO), in conjunction with MHA and Department of Animal Husbandry and Fisheries (DADF)/State Fisheries Departments, had jointly steered a pilot implementation of GSAT-6 satellite-based tracking transponders that had equipped around 500 boats in Gujarat, 500 in Tamil Nadu and 50 in Puducherry.⁷² The cost, however, was found to be prohibitive for the smaller fishermen.⁷³ The identification of genuine Indian fishermen at sea by security agencies still remains a challenge and the threat of an Indian fishing boat seized by Pakistani operatives to undertake a 26/11 type Mumbai attack remains a danger.

Conclusion

The persisting weaknesses in India’s maritime security prevent the realisation of impregnable maritime borders. The GoI took some concrete steps after the 26/11 attacks such as the setting up of NCSMCS, SCP and the CSS and making the ICG responsible for Coastal Security. However, the measures remained largely conservative. Doable solutions exist, as has been demonstrated by the GoI in several matters involving national security. The appointment of NMSC is one such example. It is hoped that the NMSC would examine the core issues affecting India’s maritime security and advise tangible measures to unlock the maritime potential of India.

⁷¹ [“Indian Navy to Equip Two Lakh Boats with Transponders”](#), The New Indian Express, 23 September 2019.

⁷² “Annual Report 2018-19”, no. 65.

⁷³ [“Challenge to Coastal Security Persists, 150,000 Small Boats Still Lack Electronic Identity”](#), *The New Indian Express*, 26 November 2020.

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