

INDIA'S SEARCH FOR AN OPTIMAL COASTAL SECURITY ORGANISATION



AUTHOR: ARUSHI PAINULY

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**RESEARCH
BRIEF**

India's Search for an Optimal Coastal Security Organisation

Arushi Painuly

Abstract: Towards the overall national objective of attaining economic, material and societal wellbeing of its citizens, India's national policy for development is steadily expanding from its continental confines to the maritime domain. This is amply clear from inter alia the national plans for port-led development (Sagarmala), NMDA (National Maritime Domain Awareness Project), which aims to cover the gaps in Static Surveillance, and the present government's vision of SAGAR (Security And Growth for All in the Region).

In modern post-independence times, Indian coasts were facilitating areas for sea bound smuggling. The insatiable Indian demand for gold and electronics emboldened the underworld of Mumbai to grow into smuggling cartels, which finally played a major role in the execution of 26/11. Another important factor that needs to be considered by the Indian security establishment is the adversarial potential in its bilateral relations with China, and the growing Chinese military 'footprint' in the Indian Ocean. This has significant implications upon how India should develop its maritime security – including coastal security – mechanisms.

This paper examines India's maritime security imperatives and the attendant evolution of its coastal security structure since the very beginning, based on the nation's expanding maritime interests and the increasing security challenges. Against this backdrop, it aims to examine the options for India to develop an optimal Coastal Security Organisation for the coming years and decades.

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ABOUT THE AUTHOR



arushi.painuly@gmail.com

@ArushiPainuly

Arushi Painuly is currently pursuing her research in Coastal Security at Savitribai Phule, Pune University. She has completed her under-graduation from Jesus and Mary College, University of Delhi, and post-graduation from Kirori Mal College, University of Delhi.

She is also associated with The Bindu Society, based in Dehradun, Uttarakhand, under which she led a team of volunteers during Uttarakhand Disaster Relief and Rehabilitation Project, 2013, in association with The Red Cross.

She has also interned with the National Maritime Foundation, New Delhi and The Delhi Commission for Women.

Her Area of Interest include Defense and Strategic Thinking, Maritime Strategy & Security and International Organisations.

INTRODUCTION

India's geographic centrality in the Indian Ocean and its peninsular disposition with a long coastline and island territories has afforded it immense opportunities. However, it is also beset with substantial maritime security challenges. Until liberalization, and especially in the 1960s, India's external trade through formal channels remained limited due to the autarkic policies of India's socialist culture. It was the insatiable demand for gold and electronics. This emboldened the smuggling cartels to engage in 'informal' (illegal) trade, leading to revenue loss to the State exchequer. Later in the 1970s when UNCLOS III negotiations bestowed extensive maritime zones to countries, the challenges of maritime security increased manifold for India.

In more recent years, the insecurities have increased further due to Pakistan's strategy of proxy war against India. Since 1971, Pakistan – which has been an ideological antithesis of India since its creation – has realised its increasing disadvantage in terms of the military balance vis-à-vis India, and has, therefore, been resorting to such an asymmetric strategy. Since early-

1990s, it has been using the sea-route to destabilize India, representing an innovative variation of its strategy, which manifested in the 1993 Mumbai serial bomb-blasts and the more recent Mumbai terrorist attack in November 2008 (26/11). These sea-borne threats have a significant bearing on India's national security. While contextualised within the broader ambit of India's maritime security, these factors are very relevant to the nation's coastal security, especially considering its long coastline stretching for about 7,500 km, which is a vulnerability for India in this context. Thus, protecting the coasts becomes integral to India's security.

This paper examines the evolution of India's coastal security structure, based on the nation's emerging maritime security challenges. Against this backdrop, it aims to examine the options for India to develop an optimal coastal security organization for the coming decades.

CONCEPTS AND BACKGROUND

At the outset, it is necessary to attain conceptual clarity of 'Coastal Security', including in the context of the overarching concept of 'Maritime Security'.

“Maritime Security encompasses a host of issues relating to the sea under the broad constructs of national sovereignty, economic development, human security and preservation of the marine environment. It includes security and safety of seaborne trade and commerce; security of energy; coastal security, coastal defence and offshore security against low-intensity threats; ensuring good order at sea; the safety of Indian citizens engaged in maritime activities; the delimitation and management of international maritime boundaries; and the protection of natural resources in the maritime zones.”¹

“Coastal Security’ is a subset of maritime security, and represents the ability of a State to preserve its national security interests in its coastal zone against all maritime threats not only in times of peace but also conflict. Coastal security encompasses multifarious facets such as coastal border management, island security, the maintenance of good order and law-enforcement in coastal zones, as also the security of ports, coastal

installations, vessels and people engaged in marine activities.”²

EVOLUTION OF COASTAL SECURITY ARCHITECTURE

When India achieved Independence in 1947, terrorism was relatively unknown to the world, and therefore, for the security of their seaward approaches, the coastal States never factored the threat. Thus, India’s Navy was considered sufficient as the only maritime force to address all maritime insecurities of the nation. In the “Outline Plan for the Reorganisation and Development of the Indian Navy (IN)” formulated in 1947,³ four objectives were articulated for the IN, as follows:

- Safeguarding Indian mercantile shipping.
- Ensuring that supplies could reach and leave by sea under all circumstances.
- Prevention of enemy landing on Indian shores.

¹ Gurpreet S Khurana. “PORTHOLE: Geopolitical, Strategic and Maritime Terms and Concepts”, (Pentagon Press, New Delhi: 2016), p. 124

² Gurpreet S Khurana. “PORTHOLE: Geopolitical, Strategic and Maritime Terms and Concepts”, (Pentagon Press, New Delhi: 2016), p. 36

³ G.M. Hiranandani. “Transition to Triumph: History of the Indian Navy, 1965-75”, (Director Personnel Services Naval Headquarters, New Delhi in association with Lancer Publishers, London: 2000), p. 5

- Supporting the army in sea-borne operations.

These were the only insecurities conceived at that time. However, during the 1960s, smuggling via the sea was on a rise, and the patterns of smuggling were changing rapidly. It was becoming too difficult for the Indian Customs (under the Ministry of Finance) to regulate such activities, as its capabilities were grossly inadequate. The IN was the only available maritime force that could respond to this insecurity. However, given that the IN's primary responsibilities articulated in the 1947 Plan were purely military in nature, a dedicated force was needed for anti-smuggling. Accordingly, the Nag Committee was set up in 1970 by the government for this purpose, which recommended setting up of a separate and properly equipped marine force. Thus, in 1974, the Customs Marine Organisation (CMO), was created (later merged with the ICG—created in 1978—to avoid duplication of effort).

To prepare for the new UNCLOS treaty being negotiated at that time, India enacted the Maritime Zones of India

(MZI) Act, 1976 to declare its sovereign rights, particularly in the 200-nautical mile Exclusive Economic Zone (EEZ). The discovery of oil in Bombay High—nearly concurrently in the mid-1970s—and the attendant development of offshore installations, necessitated an increased need for maritime policing. Further, safety at sea and the protection of the marine environment also needed to be factored, which led the IN to propose the raising of a coast-guard for non-military maritime law-enforcement in these zones. This would have left the IN free to focus on its, primary (military) role.⁴ Accordingly, in 1974, the Defence Secretary addressed a note to the cabinet secretary, spelling out the need for setting up the Coast Guard.⁵ Thus, the Indian government approved the setting up of the Indian Coast Guard (ICG) in 1977, based on the recommendations of the KF Rustomji Committee. The ICG was formally established as “an Armed Force of the Union” in 1978 with the enactment of the Coast Guard Act of 18 August 1978. The new force was placed under the Ministry of Defence (MoD), for

⁴ Indian Maritime Doctrine 2015, Integrated Headquarters, Ministry of Defence (Navy), 2015, p. 90

⁵ Prabhakaran Paleri. “Role of the Coast Guard in the Maritime Security of India”, (Knowledge World International, New Delhi: 2007), p. 37

protecting maritime and other national interests in India's maritime zones.

The ICG Act of 1978⁶ lays down the responsibilities of the ICG, inter alia, the safety and protection of offshore economic assets and fishermen, preservation of the marine environment, and assistance to the Customs and other maritime agencies. Accordingly, in 1978, the DGICG assumed the chairmanship of the Offshore Security Coordination Committee⁷ (OSCC). In 2001, India acceded to the International Convention on Maritime Search and Rescue (SAR), 1979. The ICG became the lead agency for coordinating Maritime SAR in the Indian Search and Rescue Region (ISRR). The ICG was thus created as an organisation to take upon the specialised tasks of security in Maritime Zones of India, the safety of life, and property at sea, law enforcement in jurisdictional waters, etc.

Since 1987 till 2012 ICG has been preparing its 15-year Perspective Plans, but none of them ever saw the light of the day. The 2012-27 Plan would,

therefore, be the first one to be approved by the Defence Acquisition Council (DAC). Indian Coast Guard, like other institutions, builds upon its past experiences. Operation Tasha (1990) and Operation Swan (1993) are important events both in organisational memory and operational structure of ICG, in the sense that, both Operations were initiated by the IN, and later pursued by the ICG. This also meant that IN was slowly ceding some of its responsibilities to the ICG.

In the 1980s, Sri Lanka was embroiled in a civil war, which had major repercussions on India in terms of Sri Lankan Tamil refugee influx. Operation Tasha, the follow-on of Operation Pawan (mandated by Indo-Sri Lanka Accords of 1987, seeking an end to ethnic strife) was launched in 1990. The Operation involved layered surveillance and coordination among different agencies involved in coastal security.

The infamous Kala Sabun or RDX of 1993 Mumbai blasts was brought in by sea using the extant smuggling infrastructure. This led to streamlining

⁶ The Coast Guard Act, 1978, at <http://extwprlegs1.fao.org/docs/pdf/ind5395.pdf> (Accessed on 10 March 19)

⁷ A body constituted by the Ministry of Petroleum and Natural Gas for threat assessment and the implementation of contingency plans for the security of offshore assets.

of Operation Swan,⁸ for the coastal states of Gujarat, Maharashtra and Goa. The operation also involved the fishing community. This continued till 2012 when it was subsumed under Operation Avardhan under the sole responsibility of the ICG.

Although, these operations highlighted the important role of the ICG the coastal states continued to be beset by major coastal and offshore security challenges, as is adequately evidenced in official records. For instance, with regard to the state of Maharashtra, the CAG Report No. 7 of 2011 on Performance Audit on Role and Functioning of Indian Coast guard says, “The ICG has not been involved in the inner layer operations in Maharashtra till December 2010 due to manpower and resource constraints. Joint patrolling by the IN was discontinued by September 2005 based on the MHA decision to empower coastal police

stations. However, the State Police and Customs had meagre operational assets to handle the operation.”⁹

The report further says that – “This created a void in undertaking the close coastal patrolling”¹⁰. Further, it also said that the Joint Coastal Patrolling (JCP) was not discontinued at any point of time and that subsequent to Mumbai 26/11 incident, the Joint Coastal Patrolling was subsumed into the new Coastal Security Initiatives (which were introduced consequently to Cabinet Committee on Security) directives.¹¹

In March 2018, the 205th Coastal Security Scheme Report of the Parliamentary Standing Committee on Home Affairs stated¹²

That there was a lack of a clear coordination mechanism between IN, ICG and coastal police that are guarding the three respective layers of

⁸ Counter-smuggling operation again with the structure of layered surveillance (it consisted of participation of IN, ICG and joint coastal policing which comprised of IN, ICG, state police and the Customs.

⁹ Comptroller and Auditor General of India, Report no. 7 on “Performance Audit on Role and Functioning of Indian Coast Guard”, Chapter -5, 05 Aug 2011, p. 50 at https://cag.gov.in/sites/default/files/audit_report_files/Union_Performance_Defence_Services_Role_and_Functioning_Indian_Coast_guard_7_2011_chapter_5.pdf (Accessed on 15 Apr 19)

¹⁰ Role and Functioning of Indian Coast Guard, Ministry of Defence, Public Accounts

Committee(2015-16), Twenty-First Report(Sixteenth Lok Sabha), p. 49, at https://www.aviation-defence-universe.com/wp-content/themes/defence/pdf/16_Public_Accounts_21.pdf (Accessed on 12 Apr 19)

¹¹ Ibid, p. 50

¹² Parliament of India (Rajya Sabha) Parliamentary Standing Committee on Home Affairs, 205th Report on ‘Action Taken by Government on the Recommendations/Observations contained in the 203rd Report on Border Security: Capacity Building and Institutions’, 08 Mar 18, p.17, at <http://164.100.47.5/newcommittee/reports/English/Committees/Committee%20on%20Home%20Affairs/205.pdf> (Accessed on 10 Apr 19)

our seafront. The Committee further recommended that there should be a “clear command chain” and defined SOPs¹³ with reference to coastal security.

Pushpita Das highlights the fact that –

“Despite being in operation for almost two decades, Operation Swan did not result in a single seizure.”¹⁴

Further, she emphasises that – “The failure to have a comprehensive response to coastal security reinforced the fact that much of the efforts put forth by the government were merely knee jerk responses to address the aftermath of a crisis.”¹⁵ Thus, we can conclude that the reason why the potential of the two operations was not matched by the effectiveness on the field were –

(a) The lack of adequate manpower and assets leading to ineffective policing, and

(b) The lack of coordination between the different government agencies involved at the ground level.

Notably, Himadri Das avers that –

“The Indian Navy, in both the Operations, recommended that “the respective State Governments and the Indian Coast Guard must take over the operations, so as to facilitate the Indian Navy to focus on its responsibility in the high seas.”¹⁶

CURRENT COASTAL SECURITY ORGANISATION

GOM Recommendations, 2001

In 1999, the India-Pakistan Kargil Conflict took place, and in 2001, the Kargil Review Committee (KRC) was set-up, under the chairpersonship of K. Subrahmanyam. Based on KRC's recommendations, a committee consisting of a Group of Minister(s)-comprising of the Home Minister, Minister of Defence, Minister of External Affairs, and Minister of Finance - was set up in April 2000, for a thorough review of the national security system.

¹³ Standard Operating Procedures

¹⁴ Dr Pushpita Das. Coastal Security: The Indian Experience (Institute for Defence Studies and Analyses, New Delhi: 2013), p. 52

¹⁵ Ibid, p. 52-53

¹⁶ Commander Himadri Das. Coastal Security: Policy Imperatives for India (National Maritime Foundation, New Delhi: 2019), p. 69

Annexure 3 of the GOM Report 2001 on the coastal security construct led to the creation of Department of Border Management (DoBM), under the Ministry of Home Affairs (MHA) in 2004. The Department deals with the “management of International land and Coastal borders” (under the Allocation of Business) Rules 1961, as amended up to Amendment Series no. 348, dated 5th February 2019).¹⁷

This led to the setting-up of Joint Operation Centres at the regional level and specialised Marine Police in all coastal states and island territories. Also, the Navy's FODAG (Flag Officer Defence Advisory Group) was re-designated as ‘FODAG and Advisor Offshore Security) and Defence to the GoI (Government of India)’ on 25 June 2002. According to the Indian Maritime Security Strategy(IMSS), 2015, the defence of offshore installations is the responsibility of the Flag Officer Offshore Defence Advisory Group (FODAG), under the respective Naval Commanders-in-Chief (Cs-in-C), who is also the Cs-in-C Coastal Defence.¹⁸ Thus, here we can see that although the DGICG was designated as

the Chairman of Offshore Security Coordination Committee (OSCC) as long ago as in 1978, the offshore defence still remains the responsibility of the FODAG as per the Cabinet Committee on Security(CCS) Directives. (discussed in the next section).

Coastal Security Scheme- 2005

In due course, several other Coastal Security measures were initiated. In 2005, a comprehensive and integrated Coastal Security Scheme (CSS) was formulated to strengthen the infrastructure of Marine Police of all coastal States/Union Territories (UTs) for policing of coastal areas, particularly the shallow waters. In Phase I of the CSS (2005-2011), various types of infrastructural support were sanctioned by the government. Phase II (2011-16) was formulated to carry forward phase-1, under which, the infrastructure of coastal policing of coastal States and coastal Union Territories were to be strengthened further.

¹⁷<https://cabsec.gov.in/writereaddata/allocationbusinessrule/completeaobrules/english/1 Upload 1800.pdf>

¹⁸ Indian Maritime Security Strategy 2015, Integrated Headquarters, Ministry of Defence (Navy), 2015, p.168

Although the 1999 Kargil Conflict—which caused another jolt to the National Security—was not sea-borne aggression, the likelihood of infiltration by sea was not realised. In less than a decade, the potential manifested, and in November 2008, Mumbai was attacked by sea-borne LeT terrorists. It was not a new threat, but its implications were severe. As Himadri Das insightfully notes, that 26/11 led to coastal security becoming the “new component of the national security calculus.”¹⁹

Thus, this incident was the major turning point for India's Coastal Security, as it drew global attention, leading to the revamping of maritime security in general, and coastal security in particular.

Cabinet Committee on Security Directives, 2009

26/11 led to the CCS issuing some unprecedented directives. Some of its

important features of the 2009 CCS directives were-

- Designating the IN as the “authority responsible for overall Maritime Security, including Coastal and Offshore Security.”²⁰ Designation of the Naval Commanders-in-Chief as Cs-in-C Coastal Defence, and the DG-ICG as Commander Coastal Command, with the responsibility for overall coordination between Central and State agencies in all matters relating to Coastal Security.
- Designating the Indian Coast Guard as the agency responsible for coastal security in territorial waters, including waters to be patrolled by the State Marine Police.²¹
- Hence, whereas the official term was “coordination”, the directives indicated that the IN was the Lead Maritime Security Agency, with the ICG placed under its authority with regard to coastal security function optimised for peacetime. However,

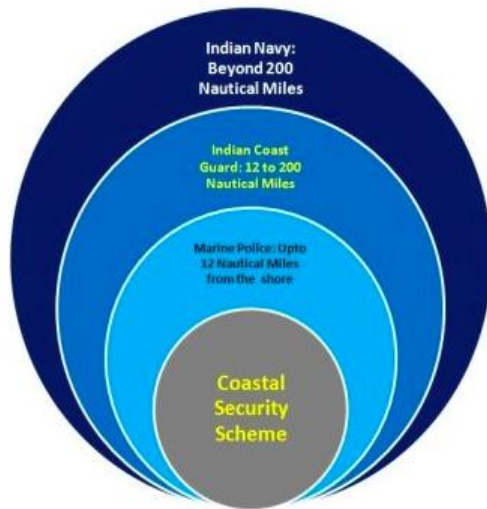
(Diagram A)

¹⁹ Commander Himadri Das. Coastal Security: Policy Imperatives for India (National Maritime Foundation, New Delhi: 2019), p. 22

²⁰ Captain (Dr.) Gurpreet S. Khurana, “India's Evolving Coastal Security Architecture: A Case for a New Central Force”, 23 May 2019, at <http://www.maritimeindia.org/View.aspx?id=8843>, p. 1-2 (Accessed on 24 May 2019)

²¹ “Indian Navy Coordinates Largest Ever Coastal Defence Exercise Ten Years After “26/11”, Press Information Bureau, Government of India, Ministry of Defence, 22 January 2019, at <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1560995> (Accessed on 14 May 19).

Diagram A



as per extant regulations, the ICG would be placed under the functional authority of the IN only in wartime.²²

- Creation of Coastal Police Stations in every coastal state and U.T. to secure the sea borders, and with the jurisdiction up to 12nm from the baseline. This entailed overlapping jurisdictions of IN, ICG, Customs and Coastal Police, who are expected to coordinate their coastal security functions with each other. (Please refer to Diagram A).
- Functioning of Coast Guard Station as “Hubs” and Coastal Police Station as “Spokes” in a coordinated manner.

- MHA as the implementing agency of the CCS directives.

In order to look after the coordination of different stakeholders in the Coastal Security (CS) domain, in 2009, the Government created the National Committee for Strengthening Maritime and Coastal Security (NCSMCS). Headed by the Cabinet Secretary, the NCSMCS was meant for National apex-level policy-making and reviews.

NCSMCS

Captain (Dr.) Gurpreet Khurana, Former Executive Director of The National Maritime Foundation, while elaborating upon the structure of NCSMCS, said that “The committee consists of representatives from all the Central Government ministries, departments, and organisations, as well as the Chief Secretaries/ Administrators and senior police officials of the coastal states and UTs, and is based on ‘committee method’ type of a structure.

All the stakeholders involved, need to submit their reports to the committee,

²² Captain (Dr.) Gurpreet S. Khurana, “India’s Evolving Coastal Security Architecture: A Case for a New Central Force”, 23 May 2019, at

<http://www.maritimeindia.org/View.aspx?id=8843>, p. 3 (Accessed on 24 May 2019).

based on which, each agency's effectiveness is analysed, and necessary actions are taken by the committee if it finds any gap in the coordination of the different stakeholders involved ranging from the Central to State level. It oversees the implementation of CCS directives.”²³ (which was originally the responsibility of the MHA, as per the CCS Directives).

Steering Committees for Review of coastal security (SCRCS)

This operates at the national level, under the Chairpersonship of the Secretary (Border Management), MHA, wherein all coastal States/UTs are members.

Coastal Security Committee

This is set up at the level of coastal state and coastal district, under the Chairmanship of Chief Secretary and District Magistrate respectively, for further decentralisation and effective coordination at the local level.

Standard Operating Procedures

According to a report by Public Accounts Committee (2015-16)²⁴, at the Operational level, ICG in consultation with all stakeholders is entrusted to institutionalise state-wise SOPs for coordination among various agencies on coastal security issues. These SOPs are aimed at enhancing the effectiveness of the Coastal Security mechanism. The coastal security exercises are conducted by the Coast Guard with the coastal States/ UTs bi-annually.

It also states that ICG has also been undertaking Community Interaction Programmes to bring in awareness about safety issues at sea.

Further, forums such as the NCSMCS and the SCRCS periodically try to bring together stakeholders from both the Centre and the different Coastal states and UTs, on one platform, although such measures have hardly been fruitful, owing to the lack of coordination among different agencies.

²³ Personal interview with Capt. (Dr.) Gurpreet S. Khurana, Former Executive Director, National Maritime Foundation, New Delhi on 19 Feb 2019

²⁴ Twenty-First Report on “Role And Functioning Of Indian Coast Guard”, Ministry Of Defence,

Public Accounts Committee(2015-16) – https://www.aviation-defence-universe.com/wp-content/themes/defence/pdf/16_Public_Accounts_21.pdf

LIMITATIONS AND VOIDS OF THE CURRENT ORGANISATION

Since the sea is seamless, and according to specific geographic responsibility to every stakeholder is not feasible, the overlapping responsibilities lead to turf wars among the various agencies. Most of them being inter-ministerial or inter-Agency in nature, the multiplicity of authorities often leads to duplication of work and may lead to confusion.

In regard to the coastal security, it's not just the Coast Guard and the Navy, but it is really a much wider picture where the role of MHA, Department of Fisheries, Customs among others come into play. Also, this structure does not only include Central government ministries but more importantly, it includes the State governments who are one of the most important stakeholders. Thus, it is necessary for the States to understand that the job to secure the coasts demands specialised training and expertise, similar to what is needed for securing the land borders.

Inter-Agency Discord (*i.e.* IN-ICG Discord)

1. Legal issues:

(A) Section 14 of the ICG Act 1978 (Duties and Functions) states that “It shall be the duty of the Coast Guard to protect by such measures, as it thinks fit, the maritime and other national interests of India in the maritime zones of India.”²⁵

(B) According to IMSS 2015, “the Indian Navy is assisted by the Indian Coast Guard, Customs, the State Marine Police and other Central and State agencies for the coastal defence of the nation, and controls all Navy-Coast Guard joint operations.”²⁶

(C) Further, the CCS directives explicitly say that the IN is responsible for the overall maritime security, including Coastal and Offshore Security²⁷ (CS and OS). It also states that the

²⁵ The Coast Guard Act, 1978, at <http://extwprlegs1.fao.org/docs/pdf/ind5395.pdf> p. 213 (Accessed on 13 Apr 19)

²⁶ Indian Maritime Security Strategy 2015, Integrated Headquarters, Ministry of Defence (Navy) 2015, p.108

²⁷ India's Sovereign Rights (or Sovereign Jurisdiction) extends beyond Territorial Waters up to the 200 nautical mile Exclusive Economic Zone

(EEZ). Such jurisdiction is likely to be extended up to 350 nm when the delineation of the Legal Continental Shelf (LCS) is completed. India has the right to regulate all maritime activities in this area related to the exploration and production of natural resources, ocean research and fishing. The protection of all-natural resources, assets and people engaged in maritime activities in this area constitutes ‘offshore security’. (Source:

Naval Commanders-in-Chief will be designated as Cs-in-C Coastal Defence and the Director General-Indian Coast Guard(DG-ICG), will be designated as Commander Coastal Command, who has been given the responsibility for overall coordination between Central and State agencies in all matters relating to Coastal Security.

This effectively makes the IN as the Lead Maritime Security Agency, with the ICG being the coordinating agency between the Centre and the States, and that DG - ICG designated as the Commander Coastal Command.

This brings to the fore the need to define the term Coastal Defence. The term can be used in the context of both coastal security and national defence. Measures under coastal defence are activated under conditions of an imminent attack. Coastal Defence, therefore, spans the IN's military and constabulary roles to prevent the ingress of either anti-national elements or 'traditional' (military) threats from seaward, across the coastal zone".²⁸

The above leads to a situation that has given rise to the current IN-ICG

discord, as on one hand IN is a Defence Force, whereas the ICG is only an Armed Force of the Union, and the word "coordination" is used in every Act/ /Doctrine/Strategy, to depict the relationship between the two, but clearly as per statement (C), ICG is effectively placed under the IN's authority with regard to a CS as well as OS, during peacetime, as the overall responsibility of CS and OS, has been explicitly given to the IN. This also has led to another problem, where IN is entrusted with 'responsibility' and 'accountability' for India's coastal security, but has not been given the 'authority', to act upon it. Further, the major problem lies in the fact that DG-ICG has been designated Commander Coastal Command, which means his primary responsibility is that of securing the coasts, thus making Indian Coast Guard as the main authority responsible for Coastal Security during peacetime (as per the CCS Directives 2009).

As the Commander of an independent force of the union, DG-ICG's primary role clashes with the fact that the IN is the overall in-charge of the CS. Thus,

PORTHOLE: Geopolitical, Strategic and Maritime Terms and Concepts, Gurpreet S Khurana, p. 148

²⁸ Gurpreet S Khurana. Porthole: Geopolitical, Strategic and Maritime Terms and Concepts (Pentagon Press, new Delhi: 2016), p. 36

there is a need of a clear-cut functional hierarchy involving the two forces. When looked upon carefully, ICG assists IN, to fulfil its responsibility of securing the overall maritime interests of the nation. Further, Law Enforcement comes under the Constabulary Role of the Navy, which makes IN and ICG inter-dependent and not independent of each other. This may also be highlighted by the fact that ICG is doing one part of the job of the IN, i.e supporting the IN in enforcing its Constabulary roles.

Statements (A), (B) (C), when read together would effectively mean that –

If necessary, for instance, in the case of an external threat, all the forces involved in the CS structure, will come under the IN, who is the overall in-charge of maritime, including the ICG, who has been given the primary responsibility for Coastal Security in peacetime (as per Statement C), ICG will form an active part of Coastal Defence (which includes coastal security) of the nation, and also because of what is indicated in Statement A. Further, it must be noted that in the Joint Operations, if Indian Navy takes part, then IN heads the operation.

Thus, the CCS directives 2009, makes ICG as the authority responsible for Coastal Security, whereas, according to the ICG Act of 1978, Coastal Security is an additional responsibility of the ICG. Which creates a lot of confusion in the functioning of the organisation. This also means that ICG is effectively responsible to involve other stakeholders in the coastal security apparatus.

1. Jurisdictional issues Centre-State discord :

A major problem in the Coastal Security structure is that of the coastal State's indifference towards sea-borne threats even after such wide-scale attacks like 26/11. These coastal states often cite the inadequacy of resources as one of the largest impediments to implementation of the coastal security initiatives. The problem lies in the fact that they are neither ready to relinquish their control nor ready to give over the control to the Centre. In addition to this, they want the Centre to shoulder all their financial burden. For instance, these coastal states/UTs favour the creation of a Marine Coastal Police, which technically comes under the jurisdiction of the coastal states (under law and order), but it wants the Centre

to fully fund it, thus, here the operational responsibility is being shared between the Centre and the State, but the issue lies in the lack of coordination between them. Thus, Centre-State coordination is one of the major problems in implementing the current CS structure to its fullest effectiveness.

There is not a single force which has the capability to simultaneously patrol both land and sea adequately and none is equipped with trained manpower to physically dominate the coastline for preventing intrusion. There is a lack of coordination and liaison between the agencies involved and the state police, during a crisis situation. Thus, to solve this problem of coordination, the idea of NCSMCS (as discussed earlier), was mooted, but the main issue with such a body is that it may lead to delays as it is based on "Committee method". Additionally, till the time the coordination between Centre and State is not improved, this agency will be unable to do anything concrete. Moreover, the implementation of CCS is rather slow, to strengthen the

stakeholders in terms of capacity and capability building.

A Report of the Comptroller and Auditor General of India, for the year ended March 2015, on General and Social Sector (Report No. 3), Government of Odisha says that-

"GoI provides 100 per cent assistance for creation of infrastructure, procurement of equipment, interceptor boats, vehicle, arms and ammunition, etc. State Government is to bear the cost of manpower."²⁹

It highlights the fact that there is still poor utilisation of Central assistance, the state government failed to fill the posts as per the norm of GoI. Thus, further highlighting the lack of coordination between Centre and State. Thus, such a complicated apparatus may lead to delays and corruption, adding work to the already overburdened Cabinet Secretary of India, as he is the one who heads the NCSMCS.

²⁹ Report of the Comptroller and Auditor General of India on "General and Social Sector", Report no. 3 of the year 2016, p. 68 at

https://cag.gov.in/sites/default/files/audit_report_files/Odisha_General_and_Social_Sector_Report_3_of_2016.pdf (Accessed on 13 May 19)

OPTION 1

ICG in Lead CS Role & placed under MHA

Merits -

Rustamji Committee Recommendations-

(Why was ICG placed under MoD?)

The reason why ICG was placed under MoD, as Prabhakaran Paleri, in his book, Role of the Coast Guard in the Maritime Security of India has pointed out, can be traced in the recommendations of Rustamji Committee, as the committee felt it appropriate, considering the nature of the job and the conditions in which the coast guard would have to perform and the facilities that the ministry could extend to the coast guard in setting up, infrastructure, equipment, training, personnel, guidance and continued support.

Ironically, it was the Department of Revenue and Banking, under the Ministry of Finance, which financed the setting up of an interim Coast Guard Organisation, within the IN, to

undertake specified coast guard tasks. Although, for a brief period of time, it was considered that the ICG must operate under the MHA, due to their functional similarities, as both of them deal with Centre-State coordination. However, the decision was reversed at the level of the Prime Minister. It was decided to place the ICG under the MoD, taking into consideration its identity with the navy and support required for its growth in the initial stages

Functional similarity for Centre-State coordination –

Responsibility for Centre-State Coordination

The rationale of ICG under MHA is also justified by the fact that the CCS Directives entrusted the DG-ICG with the responsibility for Coastal Security coordination between Central and State agencies, and the same is the overall responsibility of the MHA, in terms of internal security.

Coordination with other Security Agencies

Firstly, according to Schedule 7, of the Indian Constitution, Defence comes

under the Union list and Law and Order come under the State list. Thus, MoD functions in a highly centralised format, while MHA, on the other hand, though being a central ministry, looks after the overall coordination among different States and is thus responsible for maintaining the Law and Order in and among the different states. Therefore, we can deduce that MHA, typically works in maintaining the federal³⁰ structure of the country. Here, the mention of Federalism is crucial as the main problem that plagues centre-state relations is that of coordination and the whole coordination work in the Coastal Security Architecture, can be efficacious, only when each stakeholder respects the intricate threads of the federal structure, on the lines of which the nation has been sewed.

Secondly, the majority of the stakeholders like CISF, IB, RAW, BSF and the state police, Coastal Police involved in the CS, functions under the MHA. Thirdly, the

ICG trains the Marine Police Personnel (which comes under the Coastal

States/UTs, which directly operates under MHA), since August 2006.

Further, ICG already has over the years developed good relations with the fishermen community. The coastal police stations function under MHA, which is also the sanctioning authority for the training of Marine Police which comes under MHA. Thus, it will be easier for ICG to work in tandem with them for an effective CS apparatus. Thus, at the core, the MHA wants to streamline ICG's capabilities, use it for domestic purposes, and treat it as a line of communication with the Navy for external threats.

The clash of the mindsets -

- The major issue between the IN and ICG is and always have been of the mindset. Also, every coastal state has a unique culture. The locals cannot associate with the IN whose personnel have a totally different mindset and training structure. ICG being a dedicated force, has over the years developed good relations with the locals, and hence if it comes under MHA, and if it is given the

³⁰ K.C. Wheare, a very prominent constitutional expert, describes the federal principle as “the method of dividing powers so that the general and

regional governments are each within a sphere coordinate and independent.”

overall responsibility of CS, during peacetime, it may serve as a stepping stone to pave good relations with the States, as IN cannot possibly bridge that gap because of its operational and functional limitations. Additionally, ICG has always been insecure of the IN, as it's a more sophisticated force, and thus the discord between the two agencies is way more deep-seated than it looks. Thus, shifting ICG under MHA may help lessen the inherent insecurity.

The Posse-Comitatus principle –

ICG being under MoD works against the Posse- Comitatus principle. According to this principle – “The Posse Comitatus Act outlaws the wilful use of any part of the Army or Air Force to execute the law unless expressly authorized by the Constitution or an act of Congress.”

Thus, it effectively means that any military body i.e. MoD, in this case, cannot impose civilian laws (law enforcement laws), unless sanctioned by the President.

Quickest re-orientation with minimal re-organisation-

Dr Pushpita Das in her monologue has evaluated that –

“Given that the ICG is the national authority on offshore security, is responsible for patrolling the coastal waters, and is the lead intelligence agency for coastal borders as well as the coordinating agency between central and state agencies in matters of coastal security, it should have been the natural choice as the lead agency for coastal security as well.”³¹

Thus, ICG will still be doing what it does and will be able to easily function with other organs of the government involved in the CS more efficiently, as a non-military force, leading the overall security of the CS, during peacetime.

Successful models –

The Coast Guards in the U.S and Australia work under their respective Ministry of Home Affairs.

United States (US) has one of the oldest and most powerful Coast Guard

³¹ Dr Pushpita Das. Coastal Security: The Indian Experience (Institute for Defence Studies and Analyses, New Delhi: 2013), p. 98

Organisation, which is responsible for national defence. The US as a sole superpower is involved in global affairs and hence faces a multitude of threats emanating from multiple actors.

As mentioned in “America’s 21st Century Coast Guard: Resourcing for Safety, Security and Stewardship 2013’, White Paper on Resourcing the U.S. Coast Guard, The Coast Guard in the U.S carries out their roles, missions, and tasks in three maritime zones – inland(which includes the entire Marine Transportation System), coastal, and offshore, and work alongside the U.S Navy. The coastline of the U.S is approximately 19,928 km, which is more than double of the Indian Coastline.

Furthermore, USCG’s responsibilities consist of Search and Rescue, Marine Safety, Ports, Waterways, Coastal Security, Marine Environmental Protection, other Law Enforcement, along with other things. Which is clearly similar to the responsibilities of the ICG?

The navy is devoted to the nation’s warfighting strategies and operations, as well as to carry out the full range of military tasks. In several important mission areas, there are complementary mission sets that are met jointly by the Coast Guard and the navy. The Coast Guard and navy thus complement each other in several important ways, yet each provides capabilities that are unique and necessary for homeland security, homeland defence, crisis response, and warfighting.³² Such a model can easily be borrowed by India, and the ICG can work under the Ministry of Home Affairs, while still carrying the responsibility of a military force under MOD. Here, it must be noted that although the US CG also has a role of national defence during peacetime as well as during the armed conflict, The Indian case is slightly different where ONLY during armed conflict all the forces work under the IN, in the US, although, they (Navy and the CG) work alongside each other.

Thus, in the US the structure is very specific and lays down the area of responsibility of each stakeholder

³² America’s 21st Century Coast Guard: Resourcing for Safety, Security and Stewardship 2013’, White Paper on Resourcing the U.S. Coast

Guard, p. 25 at https://www.uscg.mil/Portals/0/Strategy/2013_USCG_WP.pdf (Accessed on 22 May 2019).

separately, as well as when they work together. In India, although after the CCS 2009 directives, the picture is a bit blurry. Thus, a clear-cut hierarchy of command like the U.S is needed in Indian Coastal Security Architecture.

Notably, in its 177th Coastal Security Scheme Report of 19 February 2014, the Parliamentary Standing Committee on Home Affairs made a notable statement. The Committee said –

“Coastal security set up in India is a three-layer set up comprising of Navy, Coast guard and marine police. The Committee though appreciating the fact that coastal security is a team effort requiring a lot of coordination between the three agencies, still it is of the opinion that a clear demarcation of jurisdiction and responsibilities should be made. A clear hierarchy of command at the national level should be established so that responsibility for commission and omission during an emergency situation could be fixed.”³³ Four years later, in March 2018, the

chain of authority continued to be ambiguous, when the 205th Coastal Security Scheme Report of the Parliamentary Standing Committee on Home Affairs stated,

“The Committee, during its deliberations, was apprised about... Lack of a clear coordination mechanism between the Indian Navy, Indian Coast Guard and coastal police that are guarding the three respective layers of our seafront... The Committee recommends that there should be a clear command chain and defined SOPs with reference to coastal security.”³⁴ Australia, is one of the most developed but least dense countries in the ASIA-Pacific, at the same time it is surrounded by developing and high population-dense countries. Situated in such external environment, Australia takes immigration very seriously. It is somewhat generous to the people who come via air route, but it almost has a zero-tolerance policy towards the boat people, hence, Royal Australian Navy combined with its CGs, scan the seas,

³³ Parliament of India, Rajya Sabha, Department-Related Parliamentary Standing Committee on Home Affairs, 177th Report on ‘Coastal Security Scheme’, 19 February 2014, p.29, at <http://164.100.47.5/newcommittee/reports/EnglishCommittees/Committee%20on%20Home%20Affairs/177.pdf> (Accessed on 27 Apr 19)

³⁴ Parliament of India (Rajya Sabha) Parliamentary Standing Committee on Home Affairs, 205th

Report on ‘Action Taken by Government on the Recommendations/Observations contained in the 203rd Report on Border Security: Capacity Building and Institutions’, 08 Mar 18, p.17, at <http://164.100.47.5/newcommittee/reports/EnglishCommittees/Committee%20on%20Home%20Affairs/205.pdf> (Accessed on 28 Apr 19)

like a shark for the prowl. Here, it must be noted that the Border Protection Command (BPC) is the principal organisation responsible for protecting Australia's interests in the maritime domain, which works within the Australian Custom and Border Protection Services (ACBPS) which is placed under Ministry of Home Affairs (MHA). Thus, this is one of the best examples of two ministries, working in a relatively harmonious environment and having a clear set of functions. It must be noted that here MHA, has been given the primary responsibility for guarding Australia's borders. Although, BPC is commanded by a Rear Admiral from the Royal Australian Navy (MoD), (s)he is accountable to both the Ministry of Home Affairs (MHA) and the Ministry of Defence (MoD). Such, a pattern may also be followed in India, where both the Naval Chief (MoD) and DG (ICG), MHA (if shifted), may directly be accountable to NCSMCS.

Thus, although, ICG has a more concentrated role to play i.e. to achieve Coastal Security, and cannot be seen as an agency at par with the IN. This doesn't mean that it cannot be left to have overall responsibility of the Coastal Security, during peacetime.

Here, it must be pointed out, that, ICG was to be made the overall in-charge of coastal security, and that the Indian Navy would have provided the necessary back-up support to the Indian Coast Guard for this purpose, but as it was a newly formed agency, it lacked nautical expertise and had shortage of manpower and capability. Thus, during that point in time, the government must have seen IN as ICG's coach, and thus, the responsibility for maintaining the coastal security of the country was implicitly given to the IN. Four decades have passed since then, and now, ICG must be eased in, to take charge as the overall authority for CS. It must also be noted here, that since the early days of its formation, it has been living under the shadow of the IN. Thus, the shift may also help in improving the coordination between IN-ICG, as both will see themselves as independent of each other, and the inherent element of insecurity in the ICG may be addressed, with such changes in its structure.

Additionally, the Indian Navy being primarily a military agency, should not be detracted to spend all its energies on something, which could be managed by a dedicated force like the ICG. Moreover, if IN was to do this job

anyhow, then why was a dedicated force of such nature raised at all? Furthermore, their training is also quite different from the other agencies involved in CS. Further, deployment of sophisticated and high-value naval warships and manpower trained for specialised roles which are military in nature in order to do non-military maritime roles is highly impractical.

This doesn't mean that IN must be removed from the CS picture altogether, which cannot be possible, as it's one of the three defence forces for conducting naval operations. Thus, the navy can always guide/advise ICG (on ICG's request) during peacetime and can take over its role as a lead military force of the country, in a situation of an imminent threat, thus playing the role of overall in-charge of country's Coastal Defence. Although, during the peacetime, it must concentrate on larger threats emanating from the sea. Many experts support this view. Dr Pushpita Das (IDSA), for instance, avers that "The Indian navy should be eased out from coastal security responsibilities and allowed to concentrate on developing its blue water capabilities and defending the

country during times of war."³⁵ This is true, but here eased out should not mean that IN should be totally removed from this structure of coastal security, as that isn't possible.

Demerits-

Objections from the MOD and the ICG-

The MHA from the past many years has been requesting the MoD, to hand-over the ICG to it, but the latter has been rejecting this proposal. The most recent instance of March 2019 was based on two grounds:

- 1) It would disrupt its synergy with IN, so as to meet the charter of ICG in CG Act 1978 seamless transition to an armed conflict, maybe disrupted if ICG goes under MHA. Seamless transition to an armed conflict, may be disrupted if ICG goes under MHA.
- 2) May detract the focus to meet ICG's primary responsibility of security in the MZI (Maritime Zones of India)
 - ICG's fear of being stymied/inhibited to a national-level role

³⁵ Dr Pushpita Das. Coastal Security: The Indian Experience (Institute for Defence Studies and Analyses, New Delhi: 2013), p. 99

ICG fears that it will be confined to national jurisdiction and won't get an international status, at par with the IN, which it always wanted. Also, the fact that the primary role of ICG is to safeguard MZI and if there is an addition of the extended continental shelf to India's maritime zones, then the expanse of its role will further expand. Thus, it doesn't want to get under the MHA, who deals only with the centre-state relations and internal security of the nation. Thus, the problem is also of the mindset and not just of coordination.

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Developing Central Marine Police Force under MHA

As the MoD has continuously rejected MHA's proposal of taking over the ICG. MHA has come up with another solution of creating another force altogether, which would function under MHA, in lines with the other paramilitary forces. Although, nothing concrete has been developed in this direction.

Captain (Dr.) Gurpreet Khurana, Executive Director of the National Maritime Foundation, in his paper "India's Evolving Coastal Security Architecture: A case for a new Central Force", has proposed a working model, under which a new force i.e. the Coastal Marine Police Force, could be developed under MHA, which could function as a lead agency for coastal security. This is in line with the thought proposed by the MHA itself.

OPTION 2

The model and its functioning have been explained below-

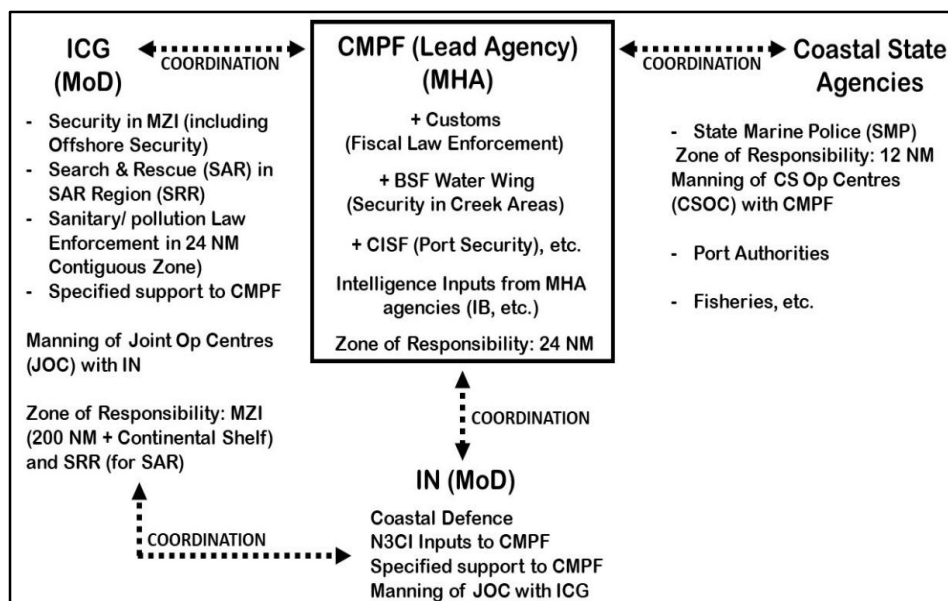


Diagram B

The CMPF zone of responsibility could extend to the 24 nautical mile limit of the Indian Contiguous Zone, with the various MHA-controlled agencies like BSF Marine Wing and the Central Industrial Police Force (CISF, entrusted with port security), and the Customs (presently under the Ministry of Finance) subsumed into the CMPF. The current formal zone of responsibility of State Marine Police of individual coastal States may be maintained at 12 nautical mile Territorial Sea, even though it would take a few years for the force to develop an adequate capability to meet this mandate. The CMPF would need to be mandated to coordinate with the State Marine Police, as well as other

ports. The MHA-controlled and funded dedicated force (CMPF) would need to be provided comprehensive capability-development assistance by the IN and ICG (under the MoD) until it matures. Thereafter, the CMPF would need to be provided functional support such in terms of providing Maritime Domain Awareness (MDA) and intelligence. Furthermore, through the MoD, the IN and ICG may be called upon to undertake a specific joint military or law-enforcement operation beyond the capability of the CMPF, when all assisting forces of the MHA would need to be placed under the command of the

'lead armed force'³⁶ to ensure unity of command. (Credits in footnotes)

Merits –

- IN can focus on its primary military role, with increasing demands upon it to bolster India's SAGAR vision, its role as a 'net security provider' and China's growing military 'footprint' in the Indian Ocean.
- The 'lead armed force' assuming overall command of the joint operation would depend upon the situation. It would be essentially based upon the appreciation of the imminent threat and, therefore – The ICG can focus on their security and law-enforcement function in the Maritime Zones of India. These responsibilities will increase further over the years with the formal addition of the continental shelf).
- It will lead to employment generation.
- May encourage the youth to have a better maritime outlook.

- It could be an effective solution to avoid the turf issues arising from the proposed shift of ICG to under MHA
- Could act as a dedicated force to the counter the proxy-war being waged in the northern part of the Indian Ocean.

Demerits-

There is still a shortage of 46 and 42 percent respectively of officers and enrolled personnel vis-à-vis the force levels envisaged for in the perspective plan.

• *Financial Burden on the State Exchequer*

It is not an easy task to raise a new force, especially one that possesses nautical expertise and adaptability to effectively operate in the maritime domain. Additional resources and funding will be expected by the Central government. Thus, this leads to an additional financial burden on the state exchequer.

³⁶ The 'lead armed force' assuming overall command of the joint operation would depend upon the situation. It would be essentially based upon the appreciation of the imminent threat and, therefore, the capabilities required to counter it. If the involvement of the ICG alone is considered appropriate, the Command would need to be

exercised by the ICG. However, if the assessed threat necessitates the involvement of forces from both the ICG and the IN, the Command would need to rest with the IN.
(<http://www.maritimeindia.org/View%20Profile/636941857756666399.pdf>)

- ***Long lead time***

In the 1970s, the IN had to take over the responsibility of maritime security because ICG was in its initial phase of development (as mentioned before). CMPF may be hit by the same fate, as it will take decades, for it to stabilize as an agency. Additionally, when ICG as an armed agency, is still struggling for years in order to get adequate funds, resources and manpower, how do you expect a totally new agency a nascent agency to take over everything with a stride? And the main question is-Does our country have the time to wait for an agency to grow, stabilize and then after years shoulder the responsibility of CS, which plays the most delicate and crucial in terms of our national security needs. Thus, with ever-changing dynamics at the sea, this situation needs an immediate and appropriate response.

- ***Multiplicity of authorities and duplication of work***

This will only increase coordination issues, in the already overcrowded Coastal Security apparatus, and may also lead to duplication of work. When there is already a confusion with respect to responsibilities given to

every organ of the government who is involved in the C.S of the nation, a new agency will only worsen the situation. Also, any new Central agency will again be a Central imposition on the States (like the CRPF, which was scuttled in federal bargaining) which might lose local intelligence (as the problem faced by all the paramilitary forces today)

- ***May meet the fate of the National Counter-terrorism Committee (NCTC) and Rashtriya Rifles (RRs)-***

NCTC-

The idea of a strong centralized NCTC (National Counter Terrorism Centre) was mooted in 2008 in the aftermath of 26/11. P. Chidambaram and M.K Narayanan (Former National Security Advisor, GoI) were insistent upon sweeping overarching powers for NCTC.

It was opposed by most of the non-congress states (including some UPA allies). BJP, being the most vocal opponent, including the then CM of Gujarat, and the present PM of India. UPA did try to water down some provisions of the NCTC (especially after Sunil Kumar Shinde became the Home

Minister), but such watered-down NCC didn't satisfy the actual purpose of it, so much so that Shinde accepted in 2013, that NCTC proposal was in a deep freeze.

Political concerns-

Prime Minister Modi still hasn't revitalised NCTC, which shows his federal concerns. Thus, the same challenges may be faced by CMPF, if it's created, at all. Thus, it's very much likely that the Centre won't propose the creation of CMPF.

RRs-

Army in every country is majorly made for defending the country during the times of armed conflict. Thus, the Indian Government created RR in 1990, under the MoD, to check militancy and counter-insurgency in Kashmir, where it had a concentrated role to play. Although it has had its share of success, still GoI needs to deploy the army when the situation deteriorates in the region. Which defeats the very purpose of RR as a separate agency.

- ***ICG already maintains a cordial relationship with the locals-***

The locals, especially the Fishermen community, have over the years developed a cordial relationship with each other (as already mentioned). A new agency will have to develop a new relationship with the fishermen community, which will take years.

- ***ICG is already involved in the following tasks-***
- Formulating Standing Operating Procedures (SOPs).
- The Regional Coastal Security Operation Centers (RCSOCs), State Coastal Security Operation Centers (SCSOCs), Area Coastal Security Operation Centers (ACSOCs), District Control Room are all controlled and operated by the ICG Commanders, at various levels.
- Further, the information available with the State Control Room are to be shared with District Control and RCSOCs, which completes the whole cycle of the structure.

Thus, if CMPF will be developed, this whole inter-mingled structure will have to be revamped, and all these responsibilities will have to be taken over by the CMPF, who will act as the lead agency of Coastal Security, as suggested by Captain (Dr.) Gurpreet Khurana. If not, and if this responsibility stays with the ICG, then it would mean, that MOD will have State and Regional intelligence and information, and hence, this will lead to further turf-war between Centre and State.

Further, Pushpita Das of Institute of Defence Studies and Analyses (IDSA) emphasises in her Monograph “Coastal Security- the Indian Experience”, on the fact that “the ICG has the mandate and the capability to shoulder the responsibility of coastal security... we should keep in mind why the ICG was created in the first place. It was because of the reluctance and incapability of the Indian Navy to fight to smuggle and enforce the law in the coastal waters that they thought of the ICG.”

Thus, strengthening the ICG, and letting it take over the responsibility of overall Coastal Security, must be considered.

Demerit Common to both

- Need to get adequate manpower and assets (coastal and shallow waters).

Recommendations/Suggestions-

- Amend the Business Rules 1961(as updated on 2019), which lays the functioning of Border Management Department, which deals only with the “Management of International Land and Coastal Borders” and does not specifically take Coastal Security into consideration. Thus, Coastal Security must be added in the name of the department itself, which may further be renamed as “Border Management and Coastal Security Department”
- Amend ICG Act 1978, so as to make the CS responsibilities and functions of the ICG clearer.

CCS Directives of 2009 must be amended for unnecessary confusion it has created by giving the overall responsibility of Coastal Security to the Indian Navy, while giving the primary responsibility of CG to DG-ICG. According to a recent news, “lack of enthusiasm by the leadership in coastal

states and a delay in utilising resources for securing India's maritime interests has forced the Ministry of Home Affairs to carry out a comprehensive review of the CSS"³⁷. This step is a welcome step, as it may solve the problem, as highlighted in the paper earlier about the confusion created by the CCS Directives of 2009.

- Coastal Defence and Offshore Defence should be with the IN - as already-Commanders-in-Chief (Cs-in-C) as Cs-in-C Coastal Defence whereas Coastal Security and Offshore security must be with the ICG as Director General Coast Guard (DGCG) – Commander Coast Guard.
- Neither Sarkaria Committee nor Punchi Committee, who recommended on improving the Centre-State Relationship, addresses the issue of tackling
- Centre-State discord w.r.t CS. Thus, such major committees must deal with such an important aspect and thus further help in improvising C-S Relations.
- The training of marine police personnel by Coast Guard lasts only for 4 weeks, in which the first 3 weeks, deals with the orientation module and in the last one week, there is On Job Training (OJT) module, which is not enough, and thus the training must be extended to at least 3 months, and must be in line with the job that the trainees are expected to perform.
- There must be a mechanism where the Coastal Security Committees, which is the local level, coordinate with the NCSMCS.
- IN, as mentioned earlier, must focus on bigger problems like- China and trade in Western Pacific.
- Home Secretary could chair NCSMCS (if ICG moves under MHA, and if MHA becomes the lead ministry for Coastal Security), as Cabinet Secretary is already overburdened, he may then send his recommendations to the Cabinet Secretary who (if necessary) can add/subtract the recommendations according to his wide expertise and

³⁷ Yatish Yadav, "MHA to conduct a comprehensive review of coastal security after glaring gaps flagged by Home Secretary Rajiv Gauba", 16 Aug 2019, at

<https://www.firstpost.com/india/home-ministry-to-conduct-comprehensive-review-of-coastal-security-after-glaring-gaps-flagged-by-rajiv-gauba-7171571.html> (Accessed on 17 Aug 19)

knowledge and send it to the PMO, thus lessening the work load on the Cabinet Secretary.

- As per reports since 2009, government has failed to take a decision on setting up a federal maritime body. Talks about constituting the Maritime Security Advisory Board (MSAB) with a maritime security advisor at its head, has been on the agenda of the Cabinet committee on Security in the aftermath of 26/11, but the government since then has put a hold on this decision. The MSAB is needed for a cohesive policy making and coordination among the multiple authorities dealing with maritime affairs.
- In an article “Mumbai was a sitting duck”, in Asian Age (&Deccan chronicles) dated 28th Nov 2008, Vice Admiral Arun Kumar Singh (Retired) recommended- A single window, National Maritime Advisor be created. He should be a professional Naval or Coast Guard officer and not a bureaucrat. Thus, if NCSMCS structure, doesn't work out, this alternative option may stand useful.

- Finally, in formulating the Indian Maritime Doctrine as well as Strategy, Indian Coast Guard must have a role, so as to have a comprehensive and synergized maritime-security doctrine and strategy. Some positive steps are already doing the rounds, like ICG has now finally got the approval by the DAC to make the 15-year Perspective Plans (2012-27).

CONCLUSION

Having run through the breadth and depth of India's prevailing coastal security, one may get confused rather than get a clear picture of the present CS Architecture. This confusion can mainly be drawn from the fact that the present structure is severely flawed, in terms of problems like C&C hierarchy, multi-agency synergy, and adding to these the various contradictory and ambiguous provisions throughout the years by the various Committees and Reports by the Government. Further, it can be seen that on the operational level, the chain of command involving the various relevant agencies is convoluted rather than hierarchical. Thus, it is very hard to develop a holistic bird's-eye view of coastal security functioning.

At the outset, therefore, a comprehensive activity mapping exercise by the Indian government, albeit with outside expertise (like consultancy firms) fused with in-house experience is the need of the hour. As exemplified by the KRC Report, the political will becomes all the more important. Whereas the Indian Government can make grandiose policies, these need to change things on the ground.

In the field of Public Administration, it is said that government of India is quite comfortable at implementing big policy decisions. However, it falters if the policy involves coordination among diverse government ministries and agencies, necessitating a synergistic functioning. Thus, the alternative option of a dedicated CMPF under MHA is not recommended as adding another layer (i.e. CMPF) to already complex and adequately layered CS structure would only lead to functional inefficiencies. In other words, the key lies in avoiding to fix things that are not broken.

Further, ICG shouldn't continue to be placed under the MOD, and must be placed under the MHA and that IN shouldn't be given the lead role in CS

structure. Both the MoD and the MHA have put forth convincing arguments in support of their respective case to administer the ICG. However, it may be concluded that the MHA's case is more robust. The MoD (including the IN functioning under it) is an institution that is geared for wartime preparedness, rather than peace-time. MHA, on the other hand, looks after the law and order functions, which is similar to what ICG is created to do. Further, many CAG reports suggest that MoD has been unable to utilise its allocated financial resources for the development of capabilities at the required pace, and much of its budgetary allocations is consumed on revenue heads (salaries, pensions, operational expenses etc.). Therefore, if placed under the MoD, it is unlikely that the ICG will be able to adequately develop its presently stagnant capabilities to effectively meet India's CS and other major responsibilities.

Rajesh Rajagopalan has brilliantly shown that Indian Army has conventional war bias in its doctrinal basics and is therefore not suited for counter-insurgency operations. In the 1980s, the army actually accepted that it cannot provide a military solution to a political problem. This becomes

problematic as ICG (under MOD) will have to increasingly provide solutions to non-conventional threats, and as mentioned earlier MOD and the IN are not the requisite places to tackle such problems.

Thus, in light of the above, ceding ICG to MHA makes more sense. But this doesn't mean it will be a panacea for all the problems. Under the MHA may bring it streamlining of resources, better availability of personnel, smoother inter-agency coordination and mobilization of key stakeholders (India's coastal states) but it too requires continuous improvement, sharp learning curves, organizational flexibility and sustained political will.

Further, IN shouldn't be the lead agency for CS and OS, during the peacetime. Instead, ICG must be spearheaded with these functions. As argued thoroughly in the paper, IN is not a force which should be tasked to do these roles and must focus on bigger roles like on developing its "blue water capabilities"³⁸, as also argued by Dr Pushpita Das.

Therefore, although, India's stakes in the maritime domain grows by every passing day, its maritime security environment has grown more complex and uncertain. The Indian Ocean lies at the crossroads of the world's largest drug-producing areas (I.e. golden crescent and golden triangle) and arms-trafficking routes. Besides such trafficking, India's neighbouring seas are beset by other insecurities ranging from piracy to Illegal, unreported and unregulated (IUU) fishing and marine pollution. Such evolving threats set an envious job for ICG. To counter such threats ICG needs to morph into an autonomous, confident and dynamic organisation that welcomes outside knowledge. It shall also be able to attract the best human resources that the country has to offer. It needs to engage the domestic private players to meet its capacity requirements. All this underline the need for ICG to evolve as a think tank, a brain in the organism of coastal security.

Its transfer to MHA wouldn't automatically guarantee all this but it could be a small step which starts the journey of thousand miles. ✎

³⁸ Dr Pushpita Das. Coastal Security: The Indian Experience (Institute for Defence Studies and Analyses, New Delhi: 2013), p. 71