



Roles and Responsibilities of Key Departments for Marine Organisms



In India, conservation of marine species, particularly fished species, has been overlooked till recently. The focus of the Indian government was to increase marine fish production, and only over the last couple of decades has there been a recognition to manage and conserve fisheries. The original focus of conservation was terrestrial ecosystems, and marine species have been included haphazardly under these measures. However, with the vast resources present in coastal and marine areas, there is a need to afford more protection to marine species and their ecosystems.

In India, two key ministries are involved in managing marine species and spaces: The Department of Animal Husbandry, Dairying and Fisheries (DADF), which is under the Ministry of Agriculture, and the Ministry of Environment, Forest and Climate Change (MoEF&CC). The DADF is responsible for developing infrastructure in states to increase productivity and look after the welfare of fisherfolk. In contrast, the MoEF&CC is responsible for matters pertaining to biodiversity and wildlife conservation and preservation.



Fisheries

Fisheries Development and Planning is undertaken by the government, through Five-Year plans, in existence since 1951. The first eight Five-Year plans focused on the development of fisheries. More recently, however, the 9th Five-Year plan (1997-2002) did recognise the need to conserve and manage fisheries, a recognition that has continued ever since. India is now preparing its 13th Five-Year plan.

According to the constitution of India, the Central national government has jurisdiction over fisheries in the Exclusive Economic Zone (EEZ, 12nm-200nm), while the State governments have jurisdiction over fisheries in their territorial waters (up to 12nm). A nautical mile is 1.85 km.

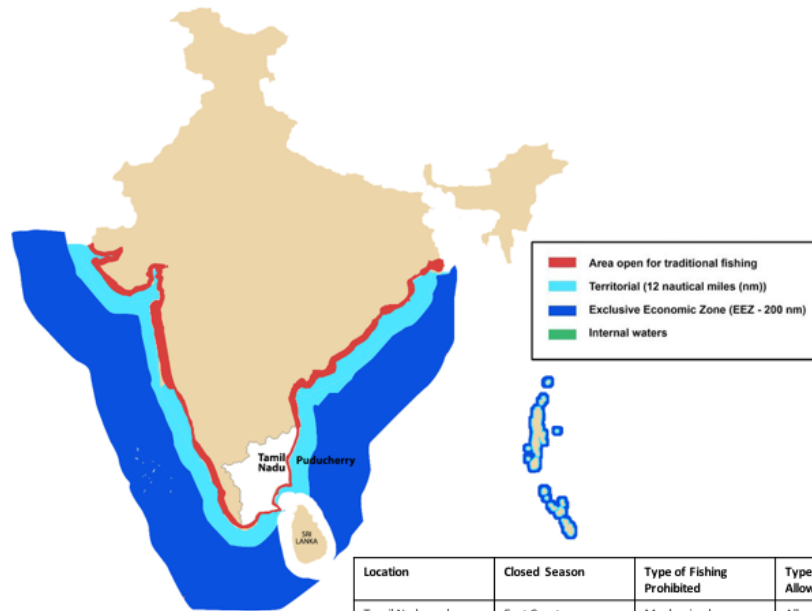
Important fisheries Acts and frameworks at the Central level include;

1. **Indian Fisheries Act (1897)** that deals with penalties for the destruction of fish by explosives in inland and coastal waters, the destruction of fish by poisoning of waters and the protection of fish in selected waters by rules of State Government.
2. **The National Policy on Marine Fisheries, 2017 (NPMF, 2017)** that has the broad vision of *“ensuring the health and ecological integrity of the marine living resources of India’s Exclusive Economic Zone (EEZ) through sustainable harvests for the benefit of present and future generations of the nation.”*

At State level, the Department of Fisheries is responsible for managing fishery resources and the welfare of fishing communities. Within the 12nm territorial limit, fisheries are managed by the maritime states of India under the Marine Fishing Regulation Acts (MFRA) (Fig 1). Salient measures of the MFRAs include regulations of mesh sizes, establishment of closed seasons, prohibition of certain gear types, no trawling within 3nm, and designation of no-fishing areas.

In addition, local councils and community led initiatives often play a role in fisheries governance along the coast. An example of this can be observed in the Palk Bay and Gulf of Mannar regions of Tamil Nadu, where to avoid clashes between trawl fishers and traditional fishers, the former are allowed to fish only 3 days a week, and the latter the remaining 4 (3-4 day rule).

Monitoring and enforcement of fisheries rules are to be carried out by the state fisheries department vessels, the coastal police, and the coast guard, but is often lacking.



Location	Closed Season	Type of Fishing Prohibited	Type of Fishing Allowed	Area open for Traditional Fishing
Tamil Nadu and Puducherry	East Coast (Northern)- April 15 th to May 29 th , East Coast (Southern)- April 15 th to June 15 th , West Coast- 15 th June to 29 th July	Mechanized Fishing/Trawlers	All non-motorized and motorized crafts with engines <25hp	Up to 3nm

Marine Fishing Regulations and Closed Seasons in the State of Tamil Nadu and Union Territory of Puducherry (Adapted from <https://indianfisheries.icsf.net/en/page/827-Indian%20Legal%20Instruments.html>)

Conservation

Wildlife conservation falls under the jurisdiction of the Ministry of Environment, Forests and Climate Change (MoEF-CC). The Constitution of India grants power to both the Central and State Governments to legislate on matters concerned with forests and wildlife protection.

At the level of the National Government, authorities formulated under this act include a Director of Wild Life Preservation, a National Board for Wildlife with the Prime Minister as the Chairperson, a National Tiger Conservation Authority and a Tiger and Other Endangered Species Crime Control Bureau. The National Board for Wildlife is responsible for framing policies and advice to both the Central and State Government to promote wildlife conservation and keep poaching and illegal wildlife trade under check.

At the level of the State Government, authorities include a Chief Wildlife Warden (CWLW), Wildlife Wardens, Honorary Wild Life Wardens, A State Board for Wildlife, with the Chief Minister of the State as the Chairperson and a Tiger Steering Committee and Tiger Conservation Foundation. The State board for Wildlife is responsible for the selection and management of protected areas.



The Wild Life Protection Act, 1972 (Amended in 2002, 2006) is the only Act to concentrate on the conservation of habitat and species, and is a concurrent list between the national level and state. The Act originally focused on terrestrial species, and it was only in 2001 that most marine species were included under this Act. Species included in the WLPA are listed in five schedules and afforded different levels of protection. No hunting is permitted for animals included in Schedules I through IV, and animals included in Schedule I and Part 2 of Schedule II are offered stronger protection in matters relating to trade and penalties.

The Supreme Court of India plays a vital role in making sure that existing laws are properly enforced. On the research side, ministries such as those of Science and Technology and Agriculture, are responsible for research and monitoring in coastal and marine areas. Status survey of endangered species and advisory services are provided to the MoEF&CC by organizations such as the Zoological Survey of India (ZSI). Enforcement of certain regulations, including those in territorial waters in MPAs, fall under the jurisdiction of the Ministry of Defense (Coast Guard). Enforcement may also be carried out by agencies such as the Forest Department, the Police, the Wildlife Crime Control Bureau (WCCB), the Customs and the Central Bureau of Investigation (CBI).

Currently, the Fisheries department (both at the National and State level) are majorly concerned with increasing production, whereas the Forest Department (National and State level) deal with conservation, with absolutely no overlap in their vision. There is a desperate need for reconciliation of responsibilities of these two departments, and through our work, we would like to build capacity between these departments so that they may recognize common goals and find a way forward to prevent the emptying of India's oceans.