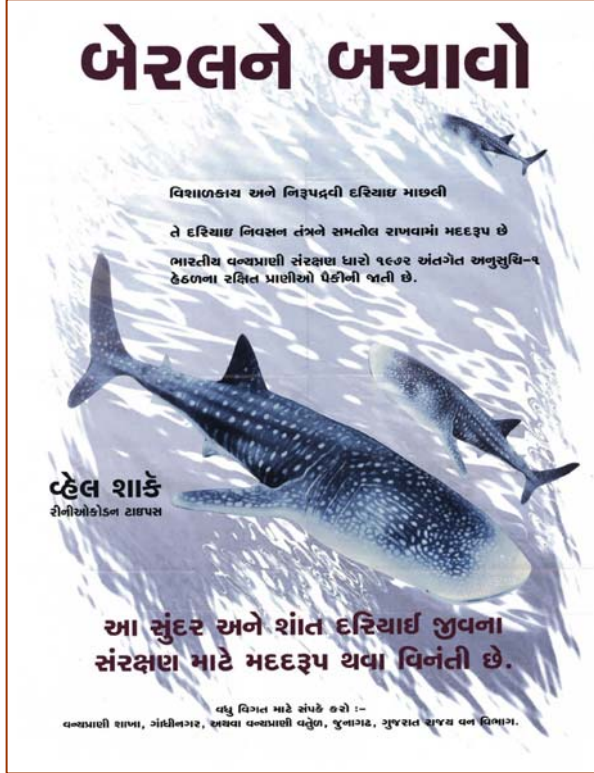


Progress Report to **PADI FOUNDATION**



Grant No. 103
Whale Shark Project – India
Research - Conservation - Ecotourism
Development

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by

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**REPORT ON THE SITUATION AT VERAVAL COAST IN GUJARAT, INDIA
AFTER IMPOSITION OF THE BAN ON WHALE SHARK TRADE
by Arun and Alka Patil**

CONTENTS

1. Background of ban	1
2. Assessment of post-ban scenario	2
- MPEDA (Marine Products Export Development Authority)	2
- CIFT (Central Institute of Fisheries Technology)	2
- Exporters Association	2
- Fishing community	3
- Small traders	3
- Customs Authorities	4
- Indian Navy	4
- State Wildlife Division	5
- Officials at Diu	5
3. Collection of tissue samples	7
4. Impact of the ban on population	8
- Unskilled workers	8
- Petty contractors	8
- Fishermen	8
- Exporters	10
- Petty traders	10
5. Eco-tourism project	11
- Details of itinerary	13
6. Measures to enhance effectiveness of the ban	15
- Awareness campaign	15
- Alternative to whale shark oil	16
- Authentication of data	16
- Co-ordination of efforts	16

- Ecotourism development	16
- Enforcement	17
7. Setting up of Shark Research Institute lab / eco-tourism training facility	18
- Location	18
- Infrastructure	18
- Microlight	19
- Research vessel	19
- Transport	19

ANNEXURES

POSTERS & MAP:

1a. A poster in local ‘Gujarati’ language issued by wildlife division of the state forest department. The whale shark is called ‘barrel’ in the poster since the fishermen traditionally attached barrels to the line connected to the fishing hook so as to keep the shark afloat after it was harpooned.	20
1b. A poster issued by Tourism Department of Diu showing the layout of Diu Island	21
1c. Map of coast showing Veraval and Diu	22

DOCUMENTS:

2a. A letter from Ministry of Environment and Forest, Government of India Reference No. 12-30/WSR/2001 dated 8/6/2001 bringing in the whale shark in the Schedule 1 of Wildlife Protection Act 1972	23
2b. A notification by Ministry of Environment and Forest dated 5 December 2001 adding nine species of sharks and rays to the list of protected species	25
2c. Blueprint of mezzanine floor of the Hotel Park as possible accomodation for SRI laboratory / ecotourism training facility	27

PHOTOGRAPHS:

Of people and places related to whale shark survey

1. Mr. Banatwala discussing the blue-print of accommodation for the proposed SRI lab at Veraval with Commander Arun Patil 28
2. Mr. K.P. Thomas, President, Exporter's association at Veraval in his office with Alka Patil. The vertebrae sample given by him is on the table. 28
3. Office of the Deputy Director of Fisheries at Veraval that maintains the whale shark landing records. 29
4. In the office of Mr. J.V. Vegda, Superintendent of Customs, Veraval. 29
5. With the present officer-in-charge of the combined patrolling team of Navy, Customs and Police. 30
6. With Mr. Vasrambhai Solanki, head of the local fishing community and Mr. K.K. Pandya of the local boat manufacturing unit with Commander Patil. 30
7. Mr. Munir Makki who was a petty trader in whale shark products before the ban in his Coco-Cola warehouse with Alka Patil. 31
8. A hotel owner at Nagoa beach in Diu with a laminated photograph a whale shark landed there 2 years back. 31

Related to the boat

9. Display board of the boat 'Kachchh Princess'. 32
10. Outside view of the boat. 32
11. Upper deck showing air-conditioned lounge with toilet. 33
12. Lower deck showing hall used as bar / dining room / disco. 33

Related to the unique tourist features of the region

13. A shop selling handicrafts of the area. 34
14. A camel cart. 34

15. A roadside sweet vendor preparing ‘jelebi’ .	35
16. A heap of red chillies.	35
17. A local breed of cow with calf on the streets of Veraval.	36
18. A traditional boat under construction	36
19. The local “luggage with people” vehicle known as a “chakada”	37
20. The traditional design hand-drawn with coloured powders in front of a house	37
21. A simple but nutritious meal at a village farm house	37

Related to Diu as a tourist destination

22. The Portuguese fort surrounded by the sea	38
23. The fort at sunset	38
24. The 16 th century St. Paul church	39
25. The statue of Our Lady in St. Paul Church	39
26. Portuguese Welcome Arch at the port	40
27. An old Hindu house called ‘Haveli’.	40
28. Another Haveli.	41
29. Symbol of Lord Shiva with sea water gushing in at high tide	41
30. The private ‘Sea Shell Museum’ of Mr. Fulbaria	42
31. The salt pans by the roadside	42
32. Ghogala beach	43
33. Nagoa beach	43
34. The unique multi-branch ‘Hoka’ palm peculiar to Diu	44
35. Hoka fruit	44

36. The entrance to Gir Asiatic Lion Sanctuary	45
37. The lioness and cubs.....	45
38. Beach resort at Diu	46
39. Guest room in beach resort at Diu	46
40. Restaurant at beach resort at Diu	47
41. Beach resort at Diu	47

1. Background of Ban

While we were doing our earlier survey in April 2001, we had heard rumors going around the fishing community that the central government was considering a ban on whale shark fishing. The award winning film of Mike Pandey and the efforts of various NGOs, including the Shark Research Institute, were responsible for the pressure on the Government to act. Ms. Maneka Gandhi, who was then the Union Minister of Environment and Forest, was a keen crusader on matters related to conservation. (She has since been replaced in a cabinet reshuffle). We had also contacted Mr. Bittu Sehgal, editor of the popular '*Sanctuary*' magazine, during this time period and remember how apprehensive he was that political influence might sabotage such a ban.

On 8 June 2001, Ministry of Environment and Forest, Government of India wrote to Commissioners of Customs and the Marine Products Export Development Authority (MPEDA) informing them of the inclusion of whale shark in the Schedule I of the Wild Life Protection Act of 1972 (**refer annexure 2a**). The ministry included all species of sharks under this schedule at a later date. Inclusion of all shark species led to strong resentment among the fishing community since, according to them, it would be impossible for a fisherman to prevent the capture of the sharks along with other fish. The Exporter's Association protested through the state government against this blanket ban. As a result, on 5 December 2001, the Union Ministry of Environment and Forest issued another notification providing protection only to nine species of sharks and rays (**refer annexure 2b**).

2. Assessment of Post-ban Scenario

We started our investigation in February 2002 by visiting various enforcement agencies and personnel involved in the implementation of the ban in and around Veraval:

MPEDA – (Marine Products Export Development Authority):

We met Mr. S.S. Patra, Deputy Director of the Veraval branch of MPEDA. He stated that his office is involved in compiling the export figures of the fishing industry and that there has been no export of whale shark products from Veraval since the ban came into force. His office notified all the local exporters that they must declare their outstanding stocks of the whale shark products and other banned species. The exporters were warned that MPEDA would be conducting raids and if banned products are discovered, they would be prosecuted.

CIFT – (Central Institute of Fisheries Technology):

This research institute is located close to the Bhidia jetty in Veraval which was earlier the main center for whale shark landings. We discussed the post-ban situation with scientists. Dr. Arnab Sen is the administrator-in-charge. He confirmed that he has not seen any landings, at least during the daytime, at Bhidia jetty. Mr. Shridhar, the section head of the Fisheries Technology Division, confirmed the statement of Dr. Sen. However, Dr. Shridhar also mentioned that the whale shark killing is unlikely to be stopped overnight. He mentioned that he has observed rickshaws driving away from smaller beaches with their contents covered by gunny bags. It is possible that the contents were whale shark products.

Exporters Association:

We met Mr. K.P. Thomas, President of the Exporter's Association, at his processing factory. **(See photograph 2.)** Mr. Thomas is the pioneer of the fishing export industry and a conservationist at heart. He confirmed the receipt of orders from the government about the ban. He also told us that his association plans to represent against the ban on other shark species, which he claimed is unreasonable. He said that the fishing trawlers

catch the fish by net and cannot selectively stop capturing sharks. He confirmed that his association has informed its members to declare the stocks of shark products.

We met Mr. Kenny of M/s Jinny Marine Traders. He is a young professional who was earlier involved in the whale shark export business. He stated that the value of the whale shark business was not even 2% to 3% of the total turnover of the exporters. So the ban has not affected their business in any significant way. Even those exporters, who had earlier considerable business in whale shark products, had not created specialized facilities for that business. So even they easily shifted to other products. Mr. Kenny felt that the exporters are unlikely to take chances in dealing with the banned whale shark products for such a small-value business.

The fishing community:

We revived our contact with Mr. Vasrambhai Solanki who is the headman of the Koli Samaj (fishing community), which was earlier at the forefront of the whale shark landings at Bhidia jetty at Veraval. **(See photograph 6.)** Vasrambhai confirmed that his community is badly affected by the ban. He felt that the ban was unfair since it deprived them of their livelihood. He said that his community has stopped killing of whale sharks. However, he was non-committal when asked if whale sharks were still being landed at smaller beaches. He brought out a significant fact that the whale sharks are yet to arrive in large numbers off Veraval and the effectiveness of the ban can only be assessed after the peak months of March and April. Vasrambhai said that the people from the southern state of Tamil Nadu were the experts in cutting up the whale shark after it was brought to the jetty by fishermen. These are the people who are most affected by the ban.

Small traders in whale shark products:

We had a tough time locating Mr. Munir Makki who was one of the traders catering to the 'domestic' demand for whale shark meat, liver oil and other products. Last year, he had helped us in getting fresh samples of flesh and liver. He had specialized in 'salting' whale shark products and selling them wholesale to domestic buyers in the southern states of India where, he claimed, the whale shark meat was being consumed. His

company, M/s Makki Sea Food, was found to have been closed down. We ultimately found that he had changed his business and become a wholesaler of Coca-Cola products for Veraval. **(See photograph 7.)** While discussing the post-ban situation with him, he said that he did not want to continue with the other fish products since the profit margins were not so attractive. He had therefore shifted to this new business. Mr. Makki disclosed that he has plans for setting up a plant for fish fertilizer. I asked him about the stocks of whale shark products that he had with him when we last met. He told us that the prices had crashed after the ban so he had sold whatever he could at prevailing prices. However, he agreed to accompany us to his warehouse where gunny bags of assorted dried whale shark products were still lying around awaiting buyers. It was a very difficult task to sift through the stinking heap and we could manage only a few dried specimens.

The Customs Authorities:

We met Mr. J.V. Vegda, Superintendent of Customs, at the Custom House at Veraval. **(See photograph 4)** We were pleasantly surprised to find a poster displayed in his office, which has been issued by the wildlife division of the state forest department in the local language **(see page 20)**. The poster depicts the whale shark and appeals to people to stop its killing since it is now protected by law. Mr. Vegda informed us that his office deputes two guards every day for 'day and night' patrols, which are jointly organised by the Navy, Police and Customs. He was confident that there would be no whale shark killings at Veraval after the ban.

Indian Navy:

We met the officer-in-charge of the combined patrolling being organised by the State Government **(see photograph 5)**. He informed us that a fishing trawler has been hired on a long-term basis to patrol the sea off the Veraval coast in the day as well as in the night. A team consisting of Indian Navy, Customs and Police personnel mans it. However, he informed us that the aim of the patrol is to prevent landings of contraband and explosives. He was not aware of whale shark or the ban. So we took the opportunity to brief him about the whale shark and how his team could help in the enforcement of the ban and

prevent killings of the species. We also handed over copies of the poster for information of his team and requested him to display it on the boat.

State Wildlife Division:

We met Mr. B.P. Pati, Deputy Conservator of Forest, Wildlife Division, located approximately 60 km from Veraval at the Sasangir National Park for Asiatic Lions. This young officer of the Indian Forest Service is the key person in the enforcement of the whale shark ban. He explained to us that the State Wildlife Division has entrusted the job of enforcing the ban to the police, customs, coast guard and Indian Navy. Three Deputy Conservators of Forest of the areas around Veraval – Diu coast have been nominated as the enforcement officers. He has been entrusted with co-ordination with other government agencies.

We also discussed the conference on conservation of whale sharks at Sasangir on 21 July 2001 that was organized by the Ministry of Environment and Forest, Government of India, after the ban on whale shark fishing. The participants at the conference included high-ranking government officials of the Central as well as State Government representing ministries of Environment and Forest, Fisheries, Coast Guard, and Wildlife. Scientists were also present along with 23 members of the fishing community of Bhidiya, Kodinar and Veraval region. The conference assessed the status of the whale shark along the Gujarat coast and worked out a strategy of conservation. Issues raised by the State Fisheries Department, Coast Guard as well as the local fishermen were addressed during the conference.

Officials at Diu:

Diu is a small Union Territory (i.e., an area administered by the Central Government) approximately two hours by road from Veraval. The data collected by us in the last report indicated that there had been random landings of whale sharks at Diu (**see photograph 8**).

We met Mr. Vijay Kumar, Collector of Diu, who is the senior government official of this region. During discussions, we observed that the number of fishing vessels operating off Diu were less than that at Veraval and there are no fish processing factories or export houses at Diu. Mr. Kumar showed keen interest in promoting whale shark tourism from Diu and promised help from the local government.

We met Mr. Premchand K. Solanki, the port officer of Diu, who controls the movements of vessels including fishing trawlers in the port. He told us that some fishermen of this area had been engaged in whale shark fishing off Diu. However, they took their catch to Veraval where it could be sold as soon as they reached the shore. It seems that the area of the sea where maximum sightings of whale shark have been reported is equidistant from Veraval and Diu (**see page 22**).

3) Collection of Tissue Samples

We found that the ban was effective at all levels. It was, therefore, not possible to collect fresh tissue samples. During the previous survey, we collected samples from whale shark meat frozen for export, but this time the government had ordered the exporters to declare and dispose of their stocks of banned shark products.

Mr. K.P. Thomas, President of the Exporter's Association, showed us a sample of vertebral column containing three vertebrae (**see photograph 2**). He said that he has had this specimen for the last seven years. He agreed to part with half of the specimen after getting it cut in a neat manner.

Mr. Munir Makki offered to open his deserted storehouse that contained several gunny bags full of assorted dried (but stinking) whale shark remains. We have retrieved two specimens that appear to be gill and skin of a whale shark.

4) Impact of the ban on population

Our assessment is that the ban on the whale shark killing will not be revoked and will be enforced. The following levels of personnel who have been affected by the ban were identified:

The teams of workers specializing in cutting up the whale shark:

This was very hard manual labor that had to be performed in minimum possible time. The cutting up of the whale shark was done standing in waist-deep water using crude non-mechanized cutting appliances. Migrant laborers from the state of Tamil Nadu in Southern India specialized in this work. They used to wait as a team at the jetty and were hired by the contractor that purchased the whale shark from the fishermen. These laborers are no longer at the jetty; they have either gone back to their native state or shifted to some other manual labor.

Petty Contractors:

They were the middlemen who used to wait at the jetty looking out for a fishing trawler bringing back a whale shark tied to its side. They assessed the size and weight of the landed whale shark and made spot offers to the fisherman. They, in turn, used to arrange delivery of whale shark meat to the exporters. These middlemen have vanished from the scene. It may be that the exporters have absorbed them in their fish processing factories.

Fishermen:

At Veraval, the Hindu fishing community of the sub-caste 'Koli' had specialized in the whale shark business. The fishermen with smaller boats used to go after the whale shark because their boats were able to maneuver better than the larger fishing trawlers. They developed a special hook, that was plunged into the whale shark from close quarters. A line attached to the hook was paid out as the whale shark dived. Empty barrels were attached to this line to prevent the whale shark from going too deep and also to bring it to the surface after it was exhausted. The local name of the whale shark, "barrel fish", was due to these characteristic barrels.

Generally, these fishermen continued with their regular fishing while maintaining a lookout for the “barrel fish”. Killing the whale shark was like winning a lottery; it gave them instant cash as soon as the whale shark was landed at the jetty. The money involved varied from \$200 to \$2000 depending on the size of the catch. So the monetary incentive of whale shark fishing was quite high and the fishermen with expertise in locating whale sharks would definitely like to continue the business. But the whale shark is too big an object to hide during the daytime at the jetty. Cutting up the whale shark has to be done on the shore since the small fishing boats cannot do that job at sea, and the fishermen are not likely to attempt to land a whale shark in the daytime.

Public awareness about the ban is widespread. We observed this fact first hand on two occasions during this survey:

1. When we took the whale shark vertebrae to an engineering workshop, the instant reaction of the workman was “Where did you get this barrel fish bone? They are not available anymore.”
2. We stopped at a place where they were painting the wooden hull of a newly built fishing vessel with anti-fouling oil. Since it is known that traditionally whale shark liver oil was formerly used for this purpose, we asked the worker what oil he was using. His response was “Oh! This is palm oil, we don’t get barrel fish oil anymore.”

It appears that whale shark fishing will be too risky and not so remunerative any more. The fishermen will most likely revert back to traditional fishing. They are bound to try to bring in political pressure to get the ban lifted, but all indications are that the fishermen will have to revert back to conventional fishing and get used to not obtaining windfall profits through the whale shark killing.

Exporters:

As stated out by one exporter, whale shark business represented just 2% to 3% of the annual export turnover. The orders from the government regarding the ban on the export are quite clear. The exporters, in any case, had not invested in whale shark business. Our assessment is that the exporters are unlikely to try dealing in illegal whale shark products. With no demand from the exporters for whale shark products, there is no financial incentive for anybody down the line to continue the whale shark product business. The Deputy Conservator of Forest at Sasangir told us that the government has decided to concentrate on enforcement of the ban at the exporter-level, as they are the 'big fish'. Punitive action against the exporters is unlikely to have a backlash as compared to similar action against the fishermen. We feel that this is a very sensible approach to the sensitive subject of enforcing the ban.

Petty traders:

Mr. Munir Makki is a typical example of this community. He used to procure the fresh whale shark meat from the contractors. In the absence of sophisticated deep freezing facilities, he salted the meat and sold it for local consumption to the emerging markets in southern part of India. The profits were low since the market price for whale shark products in those markets were much lower than those obtained by the exporter. But the Indian market was a niche market and the overheads were low. The production of whale shark liver oil was a simple and inexpensive process; liver pieces were dumped in a tank, exposed to sunlight, and deteriorated into oil. The oil had a ready market in Veraval itself. After the ban, most of the traders who had alternate business like Mr. Makki, shifted operations from whale shark to other fish products. Whale shark meat is not much in demand domestically and is consumed in only a few places by the lower strata of society. This is in contrast to the overseas market such as Taiwan where the whale shark meat is considered an exotic and expensive delicacy.

5) Eco-tourism project based upon whale shark sightings

The need for an ecotourism project for whale shark sightings emerges from the need to provide alternate means of livelihood to the fishermen involved in the whale shark fishing before the ban. The conference convened by the central government at Sansangir in July 2001 identified tourism as the best alternative for the affected fishermen.

We investigated the feasibility of introducing such a package from Veraval. The following aspects related to this project were observed:

1. Although Veraval has the maximum fishing activity in this region, it is *not* a tourist friendly place. It is an over-crowded small town with no attractive tourist features such as beaches, shops, hotels or restaurants.
2. Veraval does not have an airport. The nearest airport, at Diu, is two hours drive. The airport of Rajkot is close to a four-hour drive. Veraval is also not on the trunk railway route. A metre-gauge rail line connects it to other towns in the vicinity. The nearest railhead on the trunk route is again Rajkot.
3. Veraval is in the state of Gujarat which is the only state in India where alcohol prohibition is in force. This means that a foreign traveler will have to get a special license for his drink, buy his liquor from a designated shop and drink it in the privacy of his hotel room. These restrictions are unlikely to be acceptable to a foreign tourist.

We therefore decided to explore the possibility of using Diu as the base for whale shark tourism. It turned out to be a charming island with beautiful beaches and unhurried life style.

The following aspects of Diu were observed :

1. Although Diu is not a fishing port, there are many fishermen from this area who had earlier been engaged in whale shark fishing and have the expertise to spot the whale shark in open sea.
2. The area of the sea where maximum whale shark sightings had been reported is equidistant from both Veraval and Diu **(See page 22)**.
3. The landings recorded at Veraval did not represent whale shark occurrences off that area. Since the exporters and fish meat processing factories are exclusively located at Veraval, whale shark killed anywhere along the coastline were brought to Veraval as the most convenient place for disposal.
4. Diu is a Union territory and is not covered by the prohibition law applicable in Gujarat.
5. Diu has an airport and is connected to the international airport of Mumbai by a daily flight.
6. Diu has virtually no industry. So it is a quiet and clean place. Its economy is primarily based on tourism.
7. Diu was a Portuguese colony like Goa with beautiful beaches and the same charm of Indo-Portuguese cultural mix. It has the tourism infrastructure of a number of hotels suitable for different levels of leisure tourists. Diu has an interesting fort, churches, ancient temples, caves and a seashell museum. **(See page 21 for a tourist map of Diu and photographs 22 to 41.)**
8. The famous Hindu temple of Somnath and the National park for Asiatic Lion at Sasangir are some other nearby tourist attractions.

9. The region around Veraval-Diu is known as “Saurashtra” which has many attractive and unique features as regards handicrafts, cuisine, ethnic dresses and culture, which would be a great tourist attraction. (See **photographs 13 to 21.**)

We therefore believe that whale shark ecotourism can successfully be established at Diu.

Details of itinerary:

We envision that the international tourists will land at Mumbai. Most of the international flights land at Mumbai in the night or early morning. So one can take the afternoon flight to Diu without involving a halt at Mumbai.

We evaluated various hotels in Diu and short-listed a 3-Star resort for tourists who would prefer the comforts provided by such a resort (**see photographs 38 to 41**) and a less expensive but well maintained budget accommodation of 1-Star standard. There are other hotels that can be utilized in case of larger groups.

We came across a boat, ‘*Kutchch Princess*’, based in Diu. This boat is presently being used for short cruises for on-board dinner parties and other special occasions. The accommodation on the ship can be re-designed to suit our requirement. It has an air-conditioned lounge on the top deck and a much larger hall on the lower deck (**see photographs 9 to 12**). The boat can easily take groups of 40 people on day trips. We may however need to lease the boat for a season from say March to May. We could not make contact with the owners to discuss the hiring cost of this vessel but should be able to contact them in near future.

It is possible to hire the services of local fishermen, who had been earlier engaged in whale shark killing, as expert spotters.

We envision that a typical itinerary would consist of 5 to 6 days of sea trips for whale shark viewing. In addition, tourists can enjoy other attractions in Diu: sightseeing, relaxation and water-sports on the beaches. Tourists can also view Asiatic lions and other wildlife in the forest sanctuary at Sasangir, and visit the famous Somnath Temple and monuments of Junagadh.

A variation of the itinerary could include a visit to the famous archeological site at Lothal near Ahmedabad, where a city has been excavated dating back to Mohenjodaro era. The return journey to Mumbai can then be via Ahmedabad so that tourists can take in the attractions of the capital city of Gujarat.

6) Measures to enhance the effectiveness of the ban

The ban is effective at this stage but it would be necessary to remove the grievances of the affected population so that they do not have a need to oppose or subvert the ban on whale shark killing. Some of the grievances of this population were highlighted during the conference at Sasangir and are listed below:

1. The whale shark feeds on prawns. Hence its abundance may adversely affect the catch of prawns.
2. The whale shark causes damage to boats and fishing nets and the government should compensate for these losses, as in the case of wild elephants and lions.
3. The liver oil of the whale shark has no substitute in its application in the boat building industry.
4. The fishermen have been hunting whale sharks for ages without adversely affecting the population of this species.
5. The data published by the scientists on the killings and population figures of whale shark is not authentic.

The actions that need to be initiated to support the ban are listed below:

Awareness campaign

Some of the above grievances are obviously due to ignorance of the whale shark behavior and its food sources, and damage to boats has only occurred when a shark is harpooned. We need to launch an awareness campaign placing accurate information about the species in front of the affected population. Printing of posters in the local language is a step in the right direction. **(See page 20.)** However, much more needs to

be done as regards community awareness about the necessity to protect the ‘gentle giant’. The Shark Research Institute and other NGOs can play major roles in this respect. An international campaign also needs to be initiated to reduce the demand of whale shark products from importing countries specially Taiwan.

Alternative to whale shark liver oil

It is necessary to prove the cost-effectiveness of alternatives to whale shark liver oil in the anti-fouling and wood preserving properties in the traditional wooden boat building industry to the local users. If alternate oils were made available at a price comparable to whale shark liver oil, there would be no local demand for this whale shark product.

Authentication of data

The whale shark population figures so far seem to have been based on whale shark killings/landings. We now need to set up a mechanism so that the local fishermen report the sightings of whale sharks with details such as location, number, size etc. Some financial incentive may be necessary for authentic data reported by the fishermen. An independent survey can also be initiated to generate population figures off Gujarat coast.

Co-ordination of efforts

We observed that a large number of government agencies are involved in conservation of the whale shark. It will therefore be necessary to evolve a protocol to identify and specify the role of various agencies like Coast Guard, Fisheries, Customs, Forest, Wildlife and Port Authorities.

Eco-Tourism Development

No amount of campaigning will make an impact on the affected population unless they are convinced that conservation of the whale shark will bring in more financial benefits than the trade in whale shark products. It is therefore necessary that we make a success of the eco-tourism project of whale shark viewing. We must ensure that the affected fishermen get direct benefits from such tourism activity.

Enforcement

The hands of the enforcing agencies need to be strengthened. The punishment for violation of the ban should be clearly defined. The powers under the Wildlife Protection Act should be delegated to local authorities for effective implementation of the ban.

7) Setting up of SRI Laboratory / Eco-tourism Training Facility

We explored various aspects involved in setting up an SRI Laboratory / Eco-tourism Training Facility in the region where maximum whale shark landings have been reported.

Location:

Veraval has the maximum fishing activity in this region. It has a large number of fish processing and exporting companies. Most of the state government offices related to the fishing industry are located at Veraval. Two national laboratories, the Central Institute of Fisheries Technology (CIFT) and Central Marine Fisheries Research Institute (CMFRI), are located at Veraval. A large number of scientists of related specialties are posted at these institutes. Hence we feel that Veraval would be the most appropriate place to locate the laboratory.

The tourism activities should be conducted from the Union Territory of Diu, which is within a reasonable (2-hour) motoring distance.

Infrastructure:

We feel that, for the first few years, the laboratory should be located in leased accommodation. This would give us the option to move the lab to Diu if that proves to be a better location. Ms Marie Levine of SRI specified the requirements for accommodation for the lab. After investigating various options in Veraval, we have identified the mezzanine floor of Hotel Park as the most suitable venue for the lab in the initial phase. This place has the following advantages:

1. The entire requirement of rooms for the lab complex is available as an integrated area within the hotel complex on its mezzanine floor.
2. It has a separate entrance and parking from the main hotel. This would mean that one could take advantage of the hotel facilities while maintaining independent identity of the lab.

3. The accommodation can be made available fully furnished at 2 to 3 week's notice. This eliminates the requirement to invest in furniture or other accessories except specialized laboratory equipment.
4. The facilities of telephone, email, cable TV, swimming pool and restaurant are available as part of the deal. Additional accommodation for expansion of the laboratory or additional staff can be adjusted easily.

We obtained the blue print of the mezzanine floor of the hotel (**see annexure 2c**). It may be possible to negotiate a deal for a long-term lease. However, we have not entered negotiations with the owner at this stage.

Microlight Aircraft:

Veraval is a sensitive area from a security point of view since because is close to the Pakistan border (**see page 22**). It would not be advisable to introduce a microlight at the initial stage. We can depend on the local fishermen as spotters. Later we can explore the possibility of either a microlight or a hydroplane operated by an Indian crew under specific flying limitations.

Research vessel:

Initially, we could hire a fishing trawler on a monthly lease. A lease can be negotiated for a fishing trawler along with fuel and crew for around \$500 to \$600 per month. If the lease period is long enough the owner can be asked to make modifications to the trawler for amenities like sun-shelter, toilets, kitchenette, cold storage etc.

Transport:

We feel that availability of a transport would be a must for such a laboratory. A suitable transport can be hired with driver and fuel for about \$500 per month.

Alka and Arun Patil

ખેરલને ખચાવો

વિશાળકાય અને નિરૂપદ્રવી દરિયાઈ માછલી

તે દરિયાઈ નિવસન તંત્રને સમતોલ રાખવામાં મદદરૂપ છે
ભારતીય વન્યપ્રાણી સંરક્ષણ ધારો ૧૯૭૨ અંતર્ગત અનુસુચિ-૧
હેઠળના રક્ષિત પ્રાણીઓ પૈકીની જાતી છે.

ઘેલ શાર્ક
રીનીઓકોડન ટાઇપસ

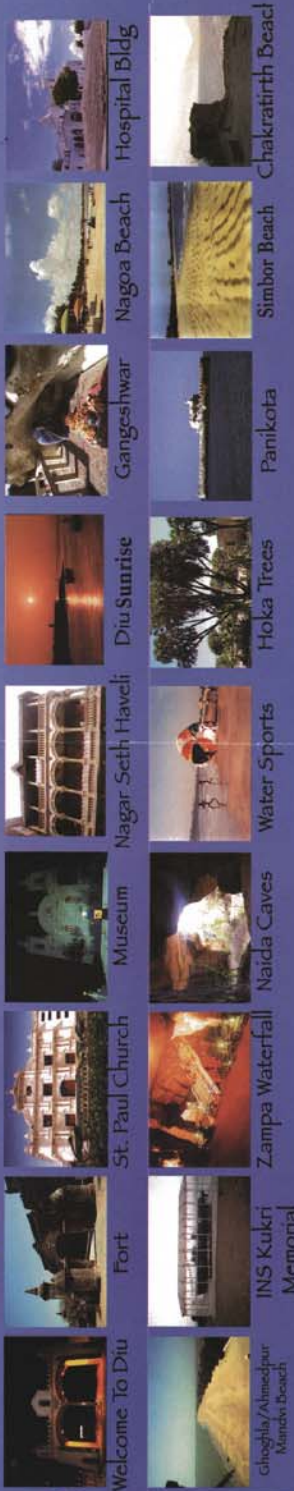
**આ સુંદર અને શાંત દરિયાઈ જીવના
સંરક્ષણ માટે મદદરૂપ થવા વિનંતી છે.**

વધુ વિગત માટે સંપર્ક કરો :-
વન્યપ્રાણી શાખા, ગાંધીનગર, અથવા વન્યપ્રાણી વતુંજ, જુનાગઢ, ગુજરાત રાજ્ય વન વિભાગ.

DIU

TOURISM DEPARTMENT

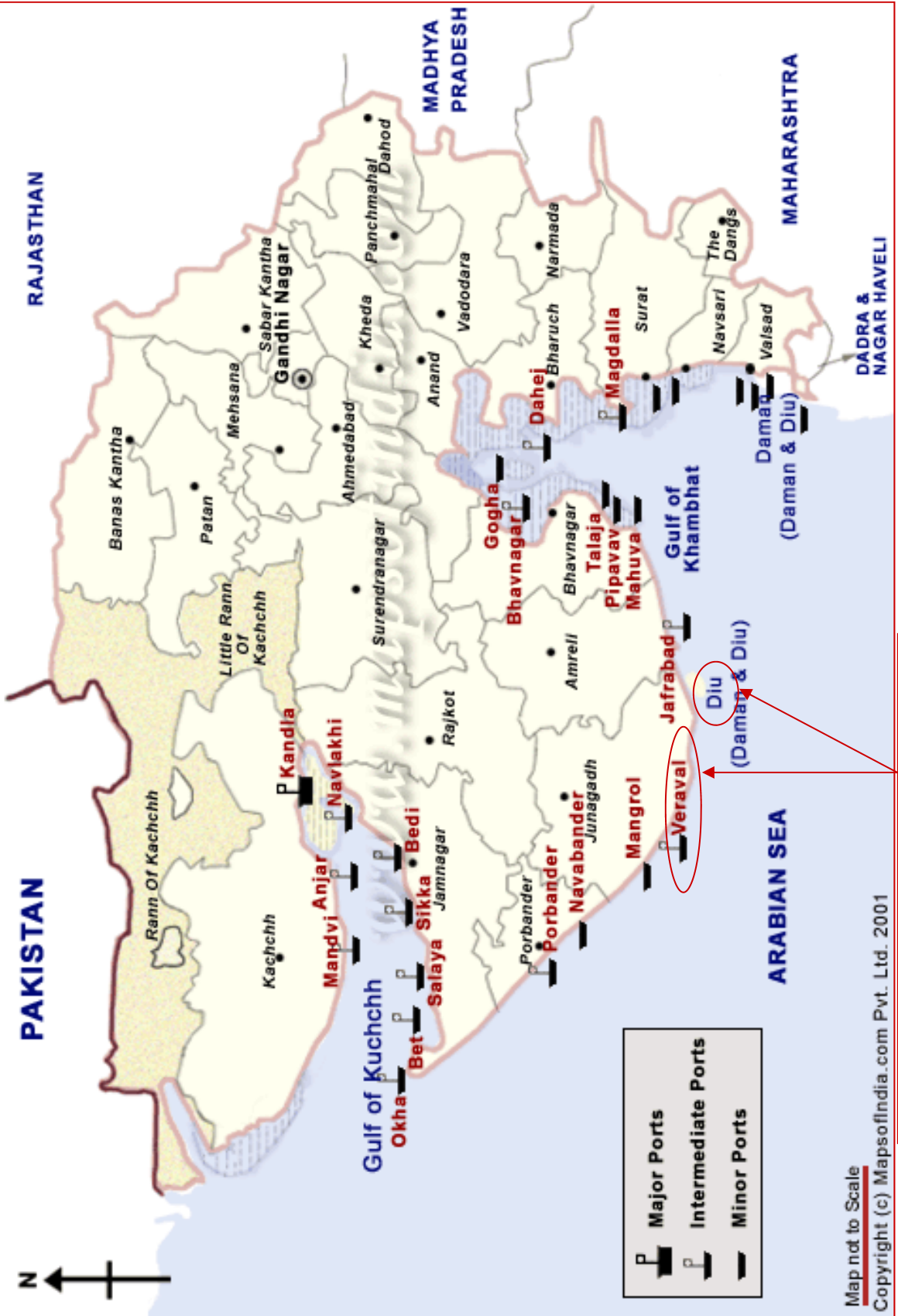
Administration of DAMAN and DIU



Published By : Tourism Department , Administration of DAMAN and DIU

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Ports of Gujarat



Map not to Scale
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Whale sharks occur along this entire coast but most were caught between these two locations.

No. 12 - 30 | WSR | 2001.

Dated: 8-6-2001

To

Marine Products Export Development Authority
Chennai/Cochin/Visakapatnam/Tuticorin/Calicut/Mangalore

Commissioner of Customs (by name)
Chennai

Commissioner of Customs (by name)
Hyderabad

Commissioner of Customs (by name)
Bangalore

Addl. Commissioner of Customs (by name)
Cochin

Addl. Commissioner of Customs, Tuticorin.

Sir,

Sub : Regarding inclusion of Whale Shark in the Schedule I of
Wildlife (Protection) Act 1972.

Find enclosed the photocopy of the notification issued by M/o Environment and Forests, Govt. of India, New Delhi notifying the inclusion of whale shark under Schedule I of the Wildlife (Protection) Act 1972. Previously the said species is not included in the Wildlife Act thereby it used to come under the category of marine animals and hence there was no restriction on the export of the meat as well as fins of the said sharks. Because of it MPEDAs used to give licences to the exporters. Now with the inclusion of this animal under Schedule I of Wildlife (Protection) Act 1972 the whale shark is getting maximum protection. For your convenience the relevant sections of the Wildlife Act are reproduced in short form as under:-

Section 39(1)

Every wild animal other than vermin which is hunted or caught or bred or found dead or killed by mistake in contravention of any prohibition of any act or rule, animal article, trophy or meat derivative from any wild animal, vehicle, vessel, weapon, tool that has been seized shall be the property of the Govt. of India.

Section 39(2)

Any person who obtains by any means of such govt. property shall inform within 18 hours of possession to the nearest police station or authorized officer.

Section 39(3)

No person shall without the permission in writing acquire, transfer or destroy such Govt. of India property.

Section 49(b)

per 64/1976

Secy
Circulate to all RO's/IC's
in Min C/C
M. 11/2001
urgent
AD (Res -)
Pl. J. J.
19/6/01

Prohibits the dealings in the trophy, animal articles, meat export, derivative from scheduled animals.


Section 51(J)

Where the offence committed ~~Hand Rule~~ to Scheduled animals (of part 2 of 2) or its derivative or hunting of or alteration of boundaries of sanctuaries or national parks imprisonment shall not be less than one year which may extend upto 6 years and fine shall not be less than Rs.5000/- provided in subsequent offences imprisonment shall not be less than 2 years and fine not less than Rs.10,000/-.

Considering the above facts, I request you not to allow the exports of whale shark fins and meat from your area of jurisdiction. If anybody is involved in that trade the information may be given to this office or to the nearest state forest dept. officials so that action can be taken against the erring people.

Thanking you,

Yours sincerely,


(R Hemant Kumar)
Regl. Dy. Director (W.P.)
Southern Region, Chennai.

Encl : n/n

(TO BE PUBLISHED IN PART II SECTION 3 SUBSECTION (II), EXTRAORDINARY OF THE
GAZETTE OF INDIA)

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

NEW DELHI, THE 6th DECEMBER, 2001

S.O. (E). In exercise of the powers conferred by sub-section (1) of section 61 of the Wild Life (Protection) Act, 1972 (53 of 1972), the Central Government, being of the opinion that it is expedient so to do, hereby makes the following further amendments in Schedule I and Schedule IV of the said Act with effect from the date of publication of this notification in the Official Gazette, namely:-

1. In Schedule I to the said Act, -

- (a) in Part II A relating to "Fishes", for serial number 2 and the entry relating thereto, the following serial number and entries shall be substituted, namely:-

"2. Shark and Ray

- (i) Anoxypristis cuspidata
- (ii) Carcharhinus hemiodon
- (iii) Glyphis gangeticus
- (iv) Glyphis glyphis
- (v) Himantura fluviatilis
- (vi) Pristis microdon
- (vii) Pristis zijsron
- (viii) Rhynchobatus djiddensis
- (ix) Urogymnus asperimus."

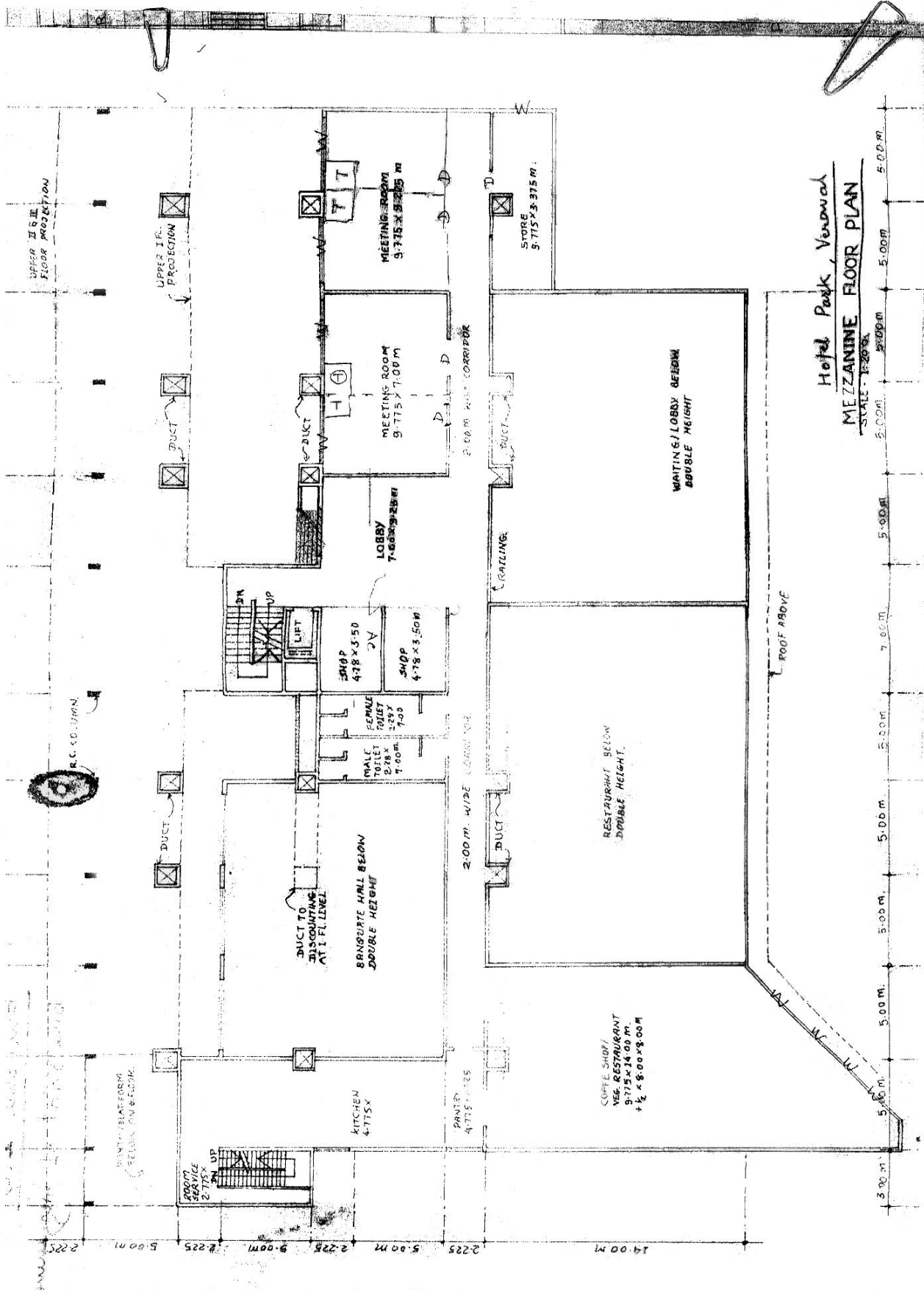
- (b) for Part IV B, relating to Mollusca and the entries relating thereto, the following Part IV B and the entries shall be substituted, namely:

"Part IV B - Mollusca

- 1. Cassis cornuta
- 2. Charonia tritonis
- 3. Conus maineodwardi
- 4. Cypraea rufa
- 5. Hippopus hippopus
- 6. Nautilus pompilius

2b - Notification by Ministry of Environment and Forest dated 5 December 2001 adding nine species of sharks and rays to the listed of protected species.

100
Received From
from DWA (W.L.)
today. i.e. on 10/12/01
get 2 photocopies of
this



2c Blueprint of mezzanine floor of the Hotel Park as possible accommodation for SRI laboratory / ecotourism training facility

Of people and places related to whale shark survey



1. Mr. Banatwala (at left) discussing the blueprint of accommodation for the proposed SRI lab at Veraval with Commander Arun Patil.



2. Mr. K.P. Thomas, President, Exporter's Association at Veraval in his office with Alka Patil. The vertebrae sample given by him is on the table.



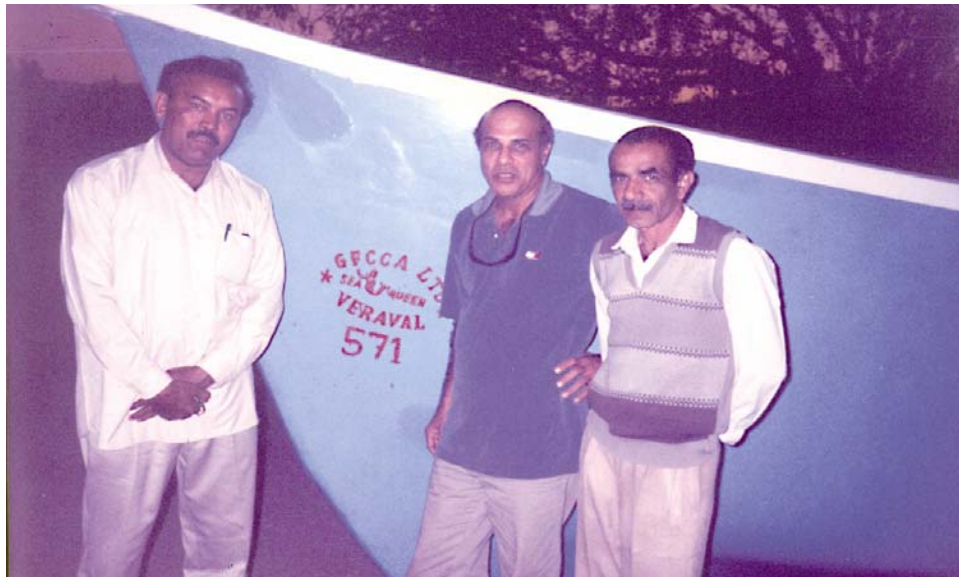
3. Office of the Deputy Director of Fisheries at Veraval that maintains the whale shark landing records.



4. In the office of Mr. J.V. Vegda, Superintendent of Customs, Veraval.



5. With the present officer-in-charge of the combined patrolling team of Navy, Customs and Police.



6. With Mr. Vasrambhai Solanki, head of the local fishing community (on right) and Mr. K.K. Pandya of the local boat manufacturing unit (on left) of Arun.

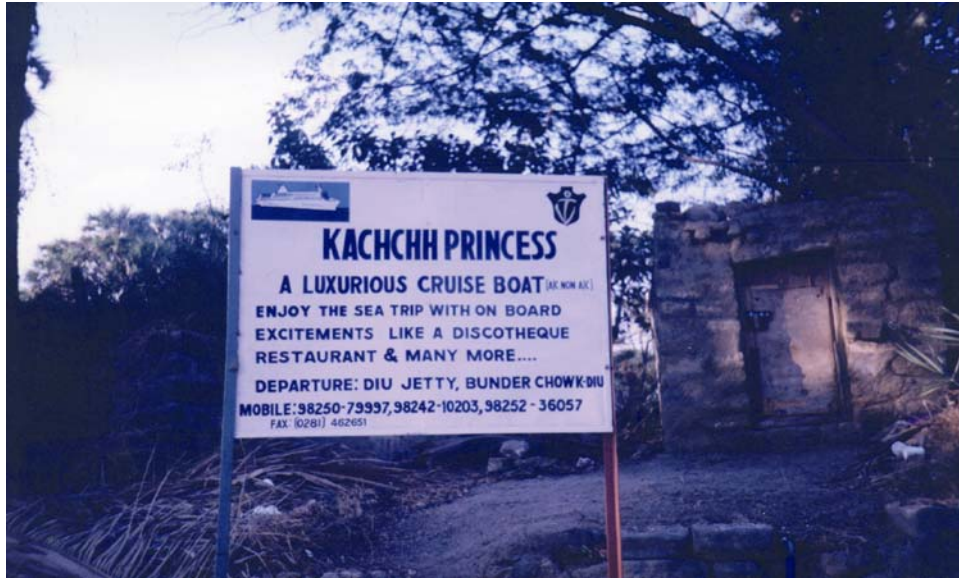


7. Mr. Munir Makki who was a petty trader in whale shark products before the ban, in his Coco-Cola warehouse.



8. A hotel owner at Nagoa beach in Diu with a laminated photograph of a whale shark landed there 2 years back.

Related to the boat



9. Display board of the boat 'Kachchh Princess'.



10. Outside view of the boat.



11. Upper deck showing air-conditioned lounge with toilet.



12. Lower deck showing area used as bar / dining room / disco.

Related to the unique tourist features of the region



13. A shop selling handicrafts of the area.



14. A camel cart.



15. A roadside sweet vendor preparing 'jelebi'.



16. A heap of red chillies.



17. A local breed of cow with calf on the streets of Veraval.



18. A traditional boat under construction



19. The local 'luggage with people' vehicle known as a "chakada".



20. A traditional design hand-drawn with coloured powders in front of a house.



21. A simple but nutritious meal at a village farm house.

Related to Diu as a tourist destination



22. The Portuguese fort surrounded by the sea.



23. The fort at sunset.

24. The 16th century St. Paul church.



25. The statue of Our Lady in St. Paul Church.



26. Portuguese Welcome Arch at the port.



27. An old Hindu house called 'Haveli'.



28. Another Haveli.



29. Symbol of Lord Shiva with seawater gushing in at high tide.

30. The private 'Sea Shell Museum' of Mr. Fulbaria.



31. The salt pans by the roadside.



32. Ghogala Beach.



33. Nagoa Beach.

34. The unique multi-branch
'Hoka' palm, peculiar to Diu.



35. Hoka fruit.



36. The entrance to Gir Asiatic Lion Sanctuary.



37. The lioness and cubs.



38. Beach resort at Diu.



39. Beach resort at Diu.



40. Restaurant in beach resort at Diu.



41. Beach resort at Diu.