

ELEVENTH REPORT
STANDING COMMITTEE
ON AGRICULTURE
(1999-2000)

(THIRTEENTH LOK SABHA)

MINISTRY OF AGRICULTURE
(Department of Animal Husbandry & Dairying)

AQUACULTURE AUTHORITY BILL, 2000

Presented to Lok Sabha on 4th December, 2000

Laid in Rajya Sabha on ~~4th~~ December, 2000

5 DEC 2000



LOK SABHA SECRETARIAT
NEW DELHI

December, 2000/Agrahayana, 1922 (Saka)

COMPOSITION OF THE STANDING COMMITTEE
ON AGRICULTURE
(1999-2000)

Shri S.S. Palanimanickam—*Chairman*

MEMBERS

Lok Sabha

2. Shri Ram Tahal Chaudhari
3. Shri Shivraj Singh Chouhan
4. Shri Shamsheer Singh Dullo
5. Shri Ramdas Rupala Gavit
6. Shri Thawar Chand Gehlot
7. Shri G. Putta Swamy Gowda
8. Shri Raghunath Jha
9. Shri Shivaji Vithalrao Kamble
10. Shri Abul Hasnat Khan
11. Shri Y.G. Mahajan
12. Shri Haribhau Shankar Mahale
13. Shri Savshibhai Makwana
14. Shri Jagannath Mallick
15. Shri M. Master Mathan
16. Shri Tarachand Shivaji Patel
17. Shri Prakash V. Patil
18. Shri Sharad Pawar
19. Shri G. Sukender Reddy
20. Shri N.R.K. Reddy
21. Shri Pyare Lal Sankhwar
22. Shri Adi Shankar
23. Shri Chhatrapal Singh
24. Shri Lakshman Singh

25. Shri Rampal Singh
26. Shri Tejveer Singh
27. Shri Zora Singh
28. Shri Bhal Chandra Yadav
29. Shri Mahaboob Zahedi
- *30. Shri Dalpat Singh Paraste

Rajya Sabha

31. Shri Oscar Fernandes
32. Shri Devi Prasad Singh
33. Shri Khagen Das
34. Shri Yadlapati Venkata Rao
35. Shri H.K. Javare Gowda
36. Shri R. Margabandu
37. Shri Korambayil Ahammed Haji
38. Shri Sharief-Ud-Din Shariq
39. Shri Devi Lal
40. Shri Kanshi Ram
- **41. Shri A.R. Kidwai
- ***42. Smt. Jamana Devi
- ****43. Shri M. Rajashekara Murthy
- ****44. Shri Kailash Joshi
45. Vacant

SECRETARIAT

- | | |
|-------------------------------------|----------------------------|
| 1. Shri Harnam Singh | — <i>Joint Secretary</i> |
| 2. Dr. (Smt.) Paramjeet Kaur Sandhu | — <i>Director</i> |
| 3. Shri Raj Shekhar Sharma | — <i>Deputy Secretary</i> |
| 4. Shri K.L. Arora | — <i>Under Secretary</i> |
| 5. Smt. Ratna Bhagwani | — <i>Committee Officer</i> |

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- * Nominated on 6th April, 2000
 ** Nominated on 15th March, 2000
 *** Nominated on 5th May, 2000
 **** Nominated on 16th May, 2000

INTRODUCTION

I, the Chairman, Standing Committee on Agriculture having been authorised by the Committee to submit the report on their behalf, present this Eleventh Report on Aquaculture Authority Bill, 2000.

2. The Aquaculture Authority Bill, 2000 was introduced in Rajya Sabha on 28th February, 2000. One of the functions of the Standing Committee as laid down in Rule 331E (1) (b) of the Rules of Procedure and Conduct of Business in Lok Sabha is to examine such Bills pertaining to the Ministries/Departments concerned as are referred to the Committee by the Chairman, Rajya Sabha or the Speaker, as the case may be, and make a report thereon to the Houses. In pursuance of this rule Hon'ble Speaker referred this bill to the Committee on 6th March, 2000 for examination and report.

3. The Committee considered the memoranda received from Aquaculture official/non-official experts, Federations/Organisations/NGOs on the Aquaculture Authority Bill, 2000. The Committee also held a briefing meeting on 14th July 2000, with the representatives of Ministry of Agriculture, Department of Animal Husbandry and Dairying and also took their oral evidence on 17th November, 2000. The Committee wish to express their thanks to the experts in the field and officers of the Ministry of Agriculture, Department of Animal Husbandry & Dairying for placing before them, the material and information which they desired in connection with the examination of the Bill and for giving evidence before the Committee.

4. The Committee considered and adopted the Report at their sitting held on 27th November, 2000.

NEW DELHI;
27 November, 2000
6 Agrahayana, 1922 (Saka)

S.S. PALANIMANICKAM,
Chairman,
Standing Committee on Agriculture.

REPORT

A Brief history

A Writ petition was filed in the Supreme Court by Shri S. Jagannathan, Chairman, Tamil Nadu Grama Swaraj Movement on 9.9.1994 alleging that unregulated Shrimp Farming was damaging the environment, and violated the provisions of Coastal Regulation Zone (CRZ) Notification 1991.

2. The Supreme Court, in its judgement on the Writ Petition delivered on 11.12.1996, held that aquaculture is an industry and hence it is covered by the prohibition imposed in the Coastal Regulation Zone (CRZ) Notification. The Court directed that:

1. No Shrimp culture pond can be constructed within CRZ, except traditional and improved traditional types of ponds.
2. Shrimp culture ponds other than traditional and improved traditional ponds set up within the CRZ shall be demolished.
3. An Authority to be constituted under the Environment (Protection) Act, 1986 to deal with the situation.
4. Shrimp ponds outside CRZ to be set up with prior approval of the Authority.
5. The Authority so constituted by the Central Government shall implement the "precautionary principle" and the "polluter pays principles".

3. A number of Review Petitions were filed by various aquaculture farmers and associations against the judgement. A Review Petition was also filed by the Ministry of Agriculture on 14th January, 1997. Similar petitions were also filed by affected State Governments, and the Marine Products Export Development Authority (MPEDA).

4. In accordance with the direction of the Supreme Court at point 3 above, an Aquaculture Authority has been set up through a Notification dated 6th February, 1997 under the provisions of the Environment (Protection) Act, 1986.

5. The Authority has been entrusted with all the powers necessary to protect the ecologically fragile areas, seashore, water front and other coastal areas and especially to deal with the situation created by the shrimp culture industry in the Coastal States and Union Territories. The authority has been functioning from Chennai and is headed by Justice G. Ramanujam, a retired judge of the Chennai High Court. The Fishery Development Commissioner of the Ministry of Agriculture is the Member Secretary. The Authority has *inter alia* been entrusted with the following functions:

1. to prescribe regulations for the construction and operation of aquaculture farms within the coastal areas.
2. to inspect aquaculture farms with a view to ascertain their environmental impact caused by aquaculture.
3. to grant licenses to aquaculture farms.
4. perform such other functions as may be prescribed.

6. The Authority has finalised the rules and procedures and the forms in which application are to be made to the Authority for approval to set up shrimp farms. These were published in the newspapers and given wide publicity. All the coastal States have set up State and District Level Committees to screen applications and to make recommendations to the Aquaculture Authority. The Authority has so far processed 1739 applications. A total of 1268 cases have been cleared and approvals issued. The Authority has also issued guidelines for adopting improved technology, which has been made available to all concerned.

Current Status of Shrimp Aquaculture Activities

7. The Committee have been informed that:

- (i) As of now, the Supreme Court has permitted traditional and improved traditional types of technologies within the Coastal Regulation Zone (CRZ). Court has also permitted that farmers operating traditional and improved traditional systems of shrimp culture may adopt improved technology for increased production, productivity and return with prior approval of the Authority. Hence the shrimp culture activities involving traditional and improved traditional systems are continuing along with adoption of improved technology with the approval of the Authority.

- (ii) In the case of farms located outside CRZ, shrimp culture activities can be undertaken with the approval of Aquaculture Authority and these farms may adopt technologies other than intensive and semi-intensive technologies. Pending approval of the Aquaculture Authority the States have been instructed to allow shrimp culture activities in farms located outside CRZ provided the farmers give an undertaking in the form of an affidavit about the location of the farm, etc.

Need for Legislation

8. The Department in their written brief have stated that the Ministry of Law, Justice and Company Affairs while examining the issues felt that the grounds contained in the Review Petition of the Ministry of Agriculture, were similar to the grounds which had already been proposed in the earlier Review Petitions and rejected by the Supreme Court. Hence, there was little likelihood of success in the pending Review Petitions of Ministry of Agriculture and others. An alternate plan of action was, therefore, suggested to prevent what would otherwise amount to a severe setback to the development of coastal aquaculture. The Cabinet Note prepared by the Ministry of Law in this regard was considered by the Cabinet on 15th March, 1997 and the decisions which were taken are summarised as follows:

1. Introduction of a Bill to provide for setting up of an Aquaculture Authority to prescribe guidelines for shrimp farms and to grant licenses.
2. To amend CRZ Notification with prospective effect to clarify that aquaculture is not a prohibited activity.
3. Existing Shrimp farms including those situated within 200 m of HTL may be allowed to continue after review by Authority.
4. Aquaculture farms in future to be allowed beyond 200 m from HTL.

Aquaculture Authority Bill, 1997

9. The Department has followed a two fold strategy for obtaining redress and resolving the problems. Firstly by filing Review Petition in the Supreme Court and secondly by initiating legislative measures through the Aquaculture Authority Bill, 1997 to resolve issues by an Act of Parliament.

10. A Bill was introduced in Rajya Sabha on 20th March, 1997 and passed with two minor amendments regarding membership from States and duration of licensing period. The Bill could not be taken up in the Lok Sabha and lapsed when the Lok Sabha was dissolved.

Aquaculture Authority Bill, 2000

11. On 21.12.99 the Cabinet approved re-introduction of a Bill in Parliament on the lines of the Aquaculture Authority Bill, 1997 as passed in the Rajya Sabha with a new provision enabling the Central Government to prescribe general guidelines to ensure that aquaculture farming does not cause any detriment to the coastal environment. The Aquaculture Authority Bill, 2000 was introduced in the Rajya Sabha on 28.2.2000.

12. Under Rule 331(E) of the Rules of Procedures and Conduct of Business in Lok Sabha, Hon'ble Speaker referred the Bill to the Parliamentary Standing Committee on Agriculture on 6.3.2000 for examination and report.

Consideration of Aquaculture Authority Bill, 2000 by the Committee

13. The following material related to the Bill was obtained from the Department of Animal Husbandry & Dairying:

- (i) Note on Aquaculture Authority Bill, 2000.
- (ii) Civil Writ Petition 561 of 1994.
- (iii) Supreme Court's Judgement Dt. 11.12.1996 in Writ Petition No. 561/94.
- (iv) The Environment (Protection) Act, 1986.
- (v) Coastal Regulation Zone (CRZ) Notification 1991
- (vi) The Aquaculture Authority Bill, 2000;

14. A list of officials and non-officials experts in the field of Aquaculture and also another list of Federations/Associations/Organisations/NGOs in shrimp aquaculture covering all the effected States was obtained from the Department.

15. The relevant material and a list of twelve (12) serving official experts, ten (10) non-serving official experts and twenty three (23) Federations/Associations/Organisations/NGOs was received from the Department. Letters were issued on 21st July, 2000 to all these forty five (45) parties requesting them for their views on the Bill. All of them were provided with a copy of the Bill and the Supreme Court Judgement.

16. Simultaneously, the Secretary (AHD) was requested to give a briefing to the Committee on the contents, application, scope and other related aspects of the Aquaculture Authority Bill, 2000 on the 14th July, 2000.

17. In his briefing, the Secretary stated that:

“It is a very small Bill with very limited objective. ...In pursuance of the directive of the Supreme Court, the Government set up an Authority under the Environment (Protection) Act. The Authority is in existence today. The intention of the Bill primarily is to give statutory status to the Aquaculture Authority. ...The Bill contains provisions with regard to membership of the Authority. It also contains provisions with regard to staffing, audit and accounts. The Bill also gives to the Authority the power to frame regulations for ensuring that aquaculture in the coastal areas is done in a manner which is friendly to the environment, which does not lead to pollution and which does not lead to environmental degradation.

The present Bill contains a provision for the Government to frame rules even with regard to the practices which will be followed, and, therefore, the Government has taken upon itself the powers to give to the Aquaculture Authority on umbrella direction under which the Aquaculture Authority will function.

The two major aspects of this Bill with regard to modification to the Supreme Court judgement are: continuance of existing farms which have come up within 500 metres and in future, farms other than traditional and improved traditional will be permitted beyond the 200 metre line.”

18. The Secretary further stated that:

"It is nobody's contention that we should permit aquaculture of the intensive or semi-intensive variety. The via media which the Government has chosen is that we should permit aquaculture with stocking densities which are not in excess of about ten (10) larvae per square meter which means from the traditional and improved traditional farms we go just one step further to the extensive aquaculture which permits stocking densities of upto 10 larvae per sq. metre and prohibit anything above that. That means the intensive and semi-intensive farms which go to 15 larvae per sq. metre to 25 larvae per square metre will be prohibited..."

19. On a clarification on the preventive methods to see that drinking water from tanks, tubewells or borewells for people who are residing in the coastal line does not get polluted, the Secretary clarified that:

"There have been scientific studies about the extent of seepage of salinity from brackish water farms. Our information is that the seepage is not substantial".

20. Answering another query on the method to be adopted to count the stocking density the Secretary replied:

"This is a problem that has to be addressed. The Central basis is that the stock density should not be below a certain level. We would have to devise methods that are transparent by which we could ensure that this requirement is met. I would only say that the concern is genuine and we would have to address that".

21. On the role of multinationals, the Secretary expressed that:⁴

"The entire sphere of aquaculture has got vitiated because of the presence of the multinationals. Until they came in, there was no hue and cry. This was an activity in which three lakh workers were involved; this was an activity which contributes two-thirds of the earnings from our exports of over a billion dollars; this was an activity which had a large potential for increase in terms of manpower and earnings. Therefore, this Committee will have to see to what extent the presence of multinationals can be curbed."

22. The Secretary, Department of Animal Husbandry & Dairying also stated that:

“The latest information which we received from MPEDA shows that out of 91,128 farms resorting to brackish water aquaculture, 82,537—that means 90.57% farms are below two hectares. There are another 5000—odd farms which constitute roughly six per cent with an area between two to five hectares. Our information is that farms greater than 10 hectares in size are only 1,000 and they constitute 1.25% of the farms.”

23. The Committee sought data from the Department on the involvement of multinationals, big companies, and small and medium companies. In their written communication the Department has stated as under:

“As per the information received from the Marine Products Export Development Authority with whom such companies are required to be registered, only two multinationals namely M/s. Hindustan Lever Ltd. and M/s. ITC Ltd. had ventured into shrimp farming activities. It is further stated that the farm of M/s. Hindustan Lever Ltd. which was having a water spread area of 22.78 ha. located in the North 24 Parganas District in West Bengal has already been demolished. In the case of M/s. ITC Ltd., the farm was located in Tuticorin Distt. in Tamil Nadu with a water spread area of 24 ha. This farm also is reported as closed and not in operation.”

24. The Department further forwarded two lists: the first list contains names of ten (10) companies which are involved in Shrimp Aquaculture either directly or through their subsidiaries (Annexure-II) and the second list contains information regarding small & medium companies having 40 ha. or more land under shrimp culture. (Annexure-III).

25. The Committee received eight (8) replies from serving experts, six (6) replies from non-serving experts and twelve (12) replies from Federations/Associations/NGOs and three (3) from unregistered organisations. Twenty six (26) were in favour of the Bill being passed and three (3) were against the Bill. Some suggestions for amendment to the various section/sub-sections/clauses were also given by these experts.

26. The Committee studied all the documents received from the Department, the memoranda and the suggestions received from various experts/organisations thoroughly. One vital point for consideration before it was that a number of Review Petitions had been filed and were pending before the Supreme Court for judgement. In this connection the Committee enquired whether it would be proper for the Department to get a Bill passed through legislation when the matter was subjudice. The Department in a written reply stated:

“The fact that the matter is subjudice does not preclude legislation. This legislation will in any case be subject to judicial review and scrutiny. It is unlikely that the Supreme Court will take a view in the matter in the near future and there is also no certainty about whether the review petitions will ultimately succeed. During the pendency of the matter, aquaculture has been suffering and will continue to suffer, because shrimp cultivation has been stayed in the farms, which the Supreme Court has directed to be demolished.”

27. The other point before the Committee was that the States are having their own laws on aquaculture farming, pollution control, Environmental protection, forestation etc. Those States also have enforcement agencies and staff strength under these agencies. Also Aquaculture is a State subject. The Committee wanted to know as to whether the setting up of an Authority would not be an encroachment into States' rights and would it not lead to extra expenditure and duplication of work. The Department in their written reply has clarified stating that:

“Environmental pollution being a Central subject, it is felt that Central legislation is necessary to bring about uniformity in approach, from the policy and implementation point of view, while dealing with the subject.”

28. To another query related to the necessity of a Bill whereas the Aquaculture Authority is already functioning through a Notification of the Department dated 6th Feb. 1997. In its reply the Department has stated as under:

"The Department is of the view that the legislation is very necessary for the functioning of the Aquaculture Authority and for promoting aquaculture for the following reasons:

- (a) Although the Authority is already in position matters relating to the terms and conditions of service of the members, matters relating to the officers and employees of the Authority and matters relating to the Fund of the Authority its budget, accounts and audit and so on, have to be addressed.
- (b) The Authority has to be specifically empowered to issue regulations for promoting the growth of aquaculture in a manner consistent with the requirements of safeguarding the environment.
- (c) The Bill also seeks to clarify that Government never intended coastal aquaculture to fall within the prohibition of the CRZ Notification of 1991 issued by the Ministry of Environment and Forests.
- (d) Apart from setting up the Aquaculture Authority the Bill also envisages saving the existing farms, located within 500 metres of the High Tide Line, which would otherwise have to be demolished in terms of the Supreme Court decision. The Bill also lays down that in future new aquaculture farms will not be permitted within 200 metres of the HTL."

29. The Committee took an oral evidence of the representatives of the Department of Animal Husbandry & Dairying on 17th November, 2000. The Secretary was asked to explain various issues relating to the functioning of the Aquaculture Authority, the role of Chairperson, his term of office and the representation of farmers associations in the Authority.

30. After having heard the Department, the Committee went into clause by clause reading of the Bill and have made the following suggestions:

Sl. No.	Chapter No.	Section/ Sub-section/ Clause No.	As incorporated in the Bill	Suggestions made by the Committee	Reasons for Suggestions
1	2	3	4	5	6
1.	I	Nomen-clature of the Bill	The Aquaculture Authority Bill, 2000.	The Coastal Aquaculture Authority Bill, 2000.	In the International connotation, Aquaculture Aquaculture includes cultivation of organisms, plant or animal, in freshwater, brackish water and saline water. The Bill excludes freshwater Aquaculture. It will be proper to rename the Bill as "Coastal Aquaculture Authority Bill, 2000"
2.	I	Section 1(1)	This Act may be called the Aquaculture Authority Act, 2000.	This Act may be called the Coastal Aquaculture Authority Act, 2000.	—do—

1	2	3	4	5	6
3.	I	Section 2(1)(a)	"aquaculture" means culturing, under controlled conditions in ponds, pens and enclosures or otherwise of shrimp, prawn, fish or any other aquatic life in saline water but does not include fresh water aquaculture.	"aquaculture" means culturing, under controlled conditions in ponds, pens and enclosures or <i>otherwise located in coastal areas</i> , of shrimp, prawn, fish or any other aquatic life in saline water but does not include fresh water aquaculture.	The Bill limits itself to coastal areas.
4.	I	Section 2(2)	Words and expressions used herein and not defined but defined in the Environment (Protection) Act, 1986 shall have the meanings assigned to them in that Act.	Words and expressions used herein and not defined but defined in the Environment (Protection) Act, 1986 shall have the meanings assigned to them in that Act <i>and those which are neither defined above nor in the Environment (Protection) Act, 1986 will be clarified by the Central Government.</i>	Section 2(2) does not leave scope for definitions which are not included from 2(1) (a) to (g) and in the Environment (Protection) Act, 1986.

1	2	3	4	5	6
5.	III	Section 4(3)	<p>The Authority shall consist of the following members who shall be appointed by the Central Government namely</p> <p>(a) The Chairperson who has been a Judge of a High Court;</p> <p>(b) one member who is an expert in the field of aquaculture;</p> <p>(c) one member who is an expert in the field of pollution control;</p> <p>(d) one member who is an expert in the field of environment protection;</p> <p>(e) one member to represent the Ministry of Environment and Forests of the Central Government;</p> <p>(f) one member to represent the Ministry of</p>	<p>Redraft Sub Section (3) by addition of new clause(s):</p> <p>The Authority shall consist of the following members who shall be appointed by the Central Government namely:</p> <p>(a) the Chairperson who has been (Retired) a Judge of a High Court;</p> <p>(b) one member who is an expert in the field of aquaculture;</p> <p>(c) one member who is an expert in the field of pollution control;</p> <p>(d) one member who is an expert in the field of environment protection;</p> <p>(e) <i>one member from the Department of Ocean Development. Who is an expert in the field of Coastal Geology;</i></p> <p>(f) one member to represent the Ministry of Environment and Forests of the Central Government</p>	<p>Since the coastal areas consists of the oceans/seas, the Committee feel it necessary that a member from Department of Ocean Development should be represented.</p>

1	2	3	4	5	6
			<p>Agriculture of the Central Government; (g) one member to represent the Ministry of Commerce of the Central Government; (h) four members to represent the coastal States; (i) one member-secretary</p>	<p>(g) one member to represent the Ministry of Agriculture of the Central Government; (h) one member to represent the Ministry of Commerce of the Central Government; (i) <i>Two members to represent The Prawn Farmers Associations who shall be appointed by rotation from the Coastal States</i> (j) four members to represent the coastal States; (k) one member-secretary. <i>who will not have any voting rights.</i></p>	<p>To watch the interest of shrimp/prawn farmers.</p>
6.	III	Section 4(4)	<p>The term of office of the members shall be three years.</p>	<p>The term of office of the Chairperson and other members shall be two years.</p>	<p>To be more specific.</p>

1	2	3	4	5	6
7.	III	Section 6	Subject to the other terms and conditions of service as may be prescribed, any person ceasing to be a member shall be eligible for reappointment as such member.	Subject to the other terms and conditions of service as may be prescribed, any person ceasing to be a member shall be eligible for reappointment as such member for not more than two consecutive terms.	The Committee feel it necessary to mention the prescribed time for reappointment of Members.
8.	IV	Section 11(2)	Where the Authority orders for removal or demolition of any aquaculture farm under clause (d) of sub-section (1), the workers of the said farm shall be paid compensation in accordance with the provisions of the Industrial Disputes Act, 1947.	Where the Authority orders for removal or demolition of any aquaculture farm under clause (d) of sub section (1), the workers of the said farm shall be paid compensation after a settlement between the workers and the management through tribunals or other suitable bodies set up by the Authority.	Section 25 adds a clause which excludes aquaculture from being an industry. Hence the Industrial Disputes Act, 1947 should not be applicable when aquaculture is no more an industry.

1	2	3	4	5	6
9.	IV	Section 13(4)	A person who intends to carry on aquaculture farming shall make an application in such form and on payment of such fees as may be prescribed for the issue of a licence.	A person who intends to carry on aquaculture farming shall make an application in such form and on payment of such fees as may be prescribed for the issue of a licence, provided that small farmers holding small farms of one (1) or less than one (1) hectare and maintaining stocking density of 3-4 per square meter and low feed application will be charged a token fee for issue of licence.	To help the small and marginal farmers who hold over 90% of the shrimp farms.

1	2	3	4	5	6
10.	IV	Section 13(6) Second Proviso	Provided further that nothing in this sub-section shall apply in the case of an aquaculture farm which is in existence on the appointed day.	Provided further that nothing in this sub-section shall apply in the case of an aquaculture farm which is in existence on the appointed day <i>and in the case of the non-commercial, experimental aquaculture farms operated or proposed by the Government/Semi Government/ICAR Research Institutes.</i>	To accord protection to research oriented Government/Semi Government/ICAR Research Institutes/non-commercial farms.
11.	IV	Section 13(6)	After Second Proviso.	Add 3rd Provision "Provided further that any traditional aquaculture farms falling within the CRZ Notification 1991 and are not used for aquaculture purposes on the appointed day	To protect the long term interest of those farms which are not in operation on the appointed day the proviso is added.

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should register with
the Aquaculture
Authority such lands
by providing documentary
proof to the genuineness of
the claim within 6 months
of the appointed day,
failing which the
land will not be
allowed to be used
for aquaculture
purposes. Provided also
that the land
should be utilised
for aquaculture
purposes within
one year of such
registration.

The Committee approved all the remaining sections, sub-sections and clauses of the Bill without any amendment.

NEW DELHI;
27 November, 2000
6 Agrahayana, 1922 (Saka)

S.S. PALANIMANICKAM,
Chairman,
Standing Committee on Agriculture.

APPENDIX I

MINUTES OF THE TWENTIETH SITTING OF THE STANDING COMMITTEE ON AGRICULTURE HELD ON FRIDAY, THE 17TH NOVEMBER, 2000 IN COMMITTEE ROOM 'C', PARLIAMENT HOUSE ANNEXE, NEW DELHI

The Committee sat from 1100 hrs. to 1230 hrs.

Shri S.S. Palanimanickam — *Chairman*

MEMBERS

Lok Sabha

2. Shri Shivraj Singh Chouhan
3. Shri Thawar Chand Gehlot
4. Shri Y.G. Mahajan
5. Shri Savshibhai Makwana
6. Shri Jagannath Mallick
7. Shri M. Master Mathan
8. Shri Tarachand Shivaji Patel
9. Shri Pyare Lal Sankhwar
10. Shri Adi Shankar
11. Shri Mahaboob Zahedi
12. Shri Dalpat Singh Paraste

Rajya Sabha

13. Shri Devi Prasad Singh
14. Shri Khagen Das
15. Shri Yadlapati Venkat Rao
16. Shri H.K. Javare Gowda
17. Shri R. Margabandhu
18. Shri A.R. Kidwai
19. Smt. Jamana Devi

SECRETARIAT

1. Smt. Paramjeet Kaur Sandhu — *Director*
2. Shri Raj Shekhar Sharma — *Deputy Secretary*
3. Shri K.L. Arora — *Under Secretary*

WITNESS

1. Shri J.N.L. Srivastava — Secretary, AH&D
2. Shri S.S. Dodd — Jt. Secretary, AH&D
3. Ms. Nita Choudhury — Jt. Secretary (Fisheries)
4. Shri M.K.R. Navi — Fisheries Development
Commissioner

At the outset, the Hon'ble Chairman (AC) welcomed the Representatives of the Department of Animal Husbandry & Dairying and requested the Secretary to introduce his colleagues. Thereafter, the Secretary was asked to explain provisions on the appointment of High Court judge as Chairperson, his term of office, functions of the Authority, selection of Members of the Authority, farmers representation etc. in the Bill. The Secretary replied to the queries of Members one by one.

A copy of the verbatim proceedings has been kept.

The Committee then adjourned to meet again on 27th November, 2000 at 1500 hrs. to consider & adopt the draft report on Aquaculture Authority Bill, 2000.

APPENDIX II

MINUTES OF THE TWENTY FIRST SITTING OF THE STANDING COMMITTEE ON AGRICULTURE HELD ON MONDAY, THE 27TH NOVEMBER, 2000 IN COMMITTEE ROOM '62', PARLIAMENT HOUSE, NEW DELHI

The Committee sat from 1500 hrs. to 1540 hrs.

Shri S.S. Palanimanickam — *Chairman*

MEMBERS

Lok Sabha

2. Shri Ram Tahal Chaudhari
3. Shri Ramdas Rupala Gavit
4. Shri Raghunath Jha
5. Shri Abul Hasnat Khan
6. Shri Y.G. Mahajan
7. Shri Savshibhai Makwana
8. Shri M. Master Mathan
9. Shri Tarachand Shivaji Patel
10. Shri G. Sukender Reddy
11. Shri Adi Shankar
12. Shri Mahaboob Zahedi

Rajya Sabha

13. Shri Devi Prasad Singh
14. Shri Khagen Das
15. Shri Yadlapati Venkat Rao

SECRETARIAT

1. Smt. Paramjeet Kaur Sandhu — *Director*
2. Shri Raj Shekhar Sharma — *Deputy Secretary*
3. Shri K.L. Arora — *Under Secretary*

At the outset, Hon'ble Chairman (AC) welcomed the members to the sitting of the Committee and requested them to take up for consideration the Draft Report on Aquaculture Authority Bill, 2000 in respect of the Ministry of Agriculture, Department of Animal Husbandry and Dairying

The Committee considered and adopted the Draft Report with minor additions to sections 4(3) and 13(6) of the Draft.

Hon'ble Chairman thanked the members for their good suggestions and appreciated the excellently drafted Bill for consideration.

The members of the Committee thereafter authorised the Chairman to present the Report on Aquaculture Authority Bill, 2000 to the House on a date and time convenient to him.

The Committee then adjourned.

ANNEXURE-I

AS INTRODUCED IN THE RAJYA SABHA

Bill No. XII of 2000

THE AQUACULTURE AUTHORITY BILL, 2000

A

BILL

to provide for the establishment of an Aquaculture Authority for regulating the activities connected with aquaculture in the coastal areas and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-first Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

Short title
and
commence-
ment.

1. (1) This Act may be called the Aquaculture Authority Act, 2000.

(2) Provisions of section 25 shall come into force at once and the remaining provisions of this Act shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

(a) "aquaculture" means culturing, under controlled conditions in ponds, pens and enclosures or otherwise of shrimp, prawn, fish or any other aquatic life in saline water but does not include fresh water aquaculture;

(b) "Authority" means the Aquaculture Authority established under sub-section (1) of section 4;

(c) "Chairperson" means the Chairperson of the Authority;

(d) "Coastal area" means the area declared as the Coastal Regulation Zone for the time being in the notification of the Government of India in the Ministry of Environment and Forests No. S.O. 114(E), dated the 19th February, 1991 and includes such other area as the Central Government may, by notification in the Official Gazette, specify;

(e) "member" means, the member of the Authority appointed under section 4 and includes the Chairperson and the member-secretary;

(f) "prescribed" means prescribed by rules made under this Act;

(g) "regulations" means regulations made by the Authority under this Act.

29 of 1986. (2) Words and expressions used herein and not defined but defined in the Environment (Protection) Act, 1986 shall have the meanings assigned to them in that Act.

CHAPTER-II

GENERAL POWERS OF CENTRAL GOVERNMENT

3. The Central Government shall take all such measures as it deems necessary or expedient for regulation of aquaculture by prescribing guidelines, to ensure that aquaculture farming does not cause any detriment to the coastal environment.

Power of Central Government to take measures to protect environment.

CHAPTER-III

THE AQUACULTURE AUTHORITY

Establishment
of authority
and
appointment
of
Chairperson
and
members.

4. (1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established for the purposes of this Act an Authority to be called the Aquaculture Authority.

(2) The head office of the Authority shall be at such place as the Central Government may decide.

(3) the Authority shall consist of the following members who shall be appointed by the Central Government, namely:—

(a) the Chairperson who has been a Judge of a High Court;

(b) one member who is an expert in the field of aquaculture;

(c) one member who is an expert in the field of pollution control;

(d) one member who is an expert in the field of environment protection;

(e) one member to represent the Ministry of Environment and Forests of the Central Government;

(f) one member to represent the Ministry of Agriculture of the Central Government;

(g) one member to represent the Ministry of Commerce of the Central Government;

(h) four members to represent the coastal States;

(i) one member-secretary.

(4) The term of office of the members shall be three years.

(5) **The salaries and allowances payable to, and the other terms and conditions of service of the members shall be such as may be prescribed.**

5. A person shall be disqualified for being appointed as a member if he—

Disqualifications for appointment as member.

(a) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government, involves moral turpitude; or

(b) is an undischarged insolvent; or

(c) is of unsound mind and stands so declared by a competent court; or

(d) has been removed or dismissed from the service of the Government or a Corporation owned or controlled by the Government; or

(e) has, in the opinion of the Central Government, such financial or other interest in the Authority as is likely to effect prejudicially the discharge by him of his functions as a member.

6. Subject to the other terms and conditions of service as may be prescribed, any person ceasing to be a member shall be eligible for reappointment as such member.

Eligibility of member for reappointment.

7. (1) The Authority shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at its meetings, including the quorum threat, as may be specified by regulations.

Meetings of Authority.

(2) If for any reason the Chairperson is unable to attend any meeting of the Authority any other member chosen by the members present at the meeting shall preside at the meeting.

(3) All questions which come up before any meeting of the Authority shall be decided by the majority of votes of the members present and voting, and in the event of an equality of votes, the Chairperson or in his absence the person presiding, shall have and exercise a second or casting vote.

Vacancy in Authority not to invalidate proceeding.

8. No act or proceeding of the Authority shall be invalidated merely by reason of—

(a) any vacancy in or any defect in the constitution of the Authority; or

(b) any defect in the appointment of a person acting as a member of the Authority; or

(c) any irregularity in the procedure adopted by the Authority not affecting the merits of the case.

Appointment of officers, consultants and other employees of Authority.

9. (1) For the purpose of discharging its functions, the Authority shall appoint such number of officers and other employees as it may consider necessary on such terms and conditions as may be specified by the regulations.

(2) The Authority may appoint, from time to time, any person as adviser or consultant as it may consider necessary on such terms and conditions as may be specified by the regulations.

10. All orders, decisions and other instruments of the Authority shall be authenticated under the signature of the Chairperson or any other member or any officer of the Authority authorised by it in this behalf.

Authentication
of orders
and other
instruments
of
Authority.

CHAPTER-IV

POWERS AND FUNCTIONS OF THE AUTHORITY

11. (1) Subject to any guidelines issued by the Central Government under section 3, the Authority shall exercise the following powers and perform the following functions, namely:—

Functions
of
Authority.

(a) to prescribe regulations for the construction and operation of aquaculture farms within the coastal areas;

(b) to inspect aquaculture farms with a view to ascertaining their environmental impact caused by aquaculture;

(c) to grant licences to aquaculture farms;

(d) to order removal or demolition of any aquaculture farms which is causing pollution after hearing the occupier of the farm;

(e) perform such other functions as may be prescribed.

(2) Where the Authority orders for removal or demolition of any aquaculture farm under clause (d) of sub-section (1), the workers of the said farm shall be paid compensation in accordance with the provisions of the Industrial Disputes Act, 1947.

Power to enter.

12. Subject to any rule made in this behalf, any person generally or specially authorised by the Authority in this behalf, may, wherever it is necessary to do so for any purposes of this Act, at all reasonable times, enter upon any aquaculture land, pond, pen or enclosure and—

(a) make any inspection, survey, measurement, valuation or inquiry;

(b) remove or demolish any structures therein;

(c) do such other acts or things as may be prescribed;

Provided that no such person shall enter on any aquaculture land, pond, pen, or enclosure without giving such occupier at least twenty-four hours notice in writing or his intention to do so.

Licences for aquaculture farming.

13. (1) Save as otherwise provided in this section, no person shall carry on aquaculture farming in the coastal areas unless he holds a licence issued in this behalf by the Authority.

(2) Notwithstanding anything contained in sub-section (1), a person engaged in aquaculture farming immediately before the appointed day may continue to carry on such activity without such a licence for a period of six months from that day and if he makes an application for such licence under this sub-section within the said period of six months, till the communication to him of the Authority disposing of such application.

(3) A licence issued under this section—

(a) shall be valid for a period of five years;

(b) may be renewed from time to time for a like period; and

(c) shall be in such form and shall be subject to such conditions as may be specified by regulations.

(4) A person who intends to carry on aquaculture farming shall make an application in such form and on payment of such fees as may be prescribed for the issue of a licence.

(5) No application for the issue of a licence to commence any activity connected with aquaculture farming shall be granted unless the Authority after making such enquiry as it thinks fit is satisfied that grant of such licence shall not be detrimental to the coastal environment.

(6) No licence shall be granted for aquaculture farming proposed to be carried out within two hundred metres from the High Tide Line:

Provided that in case of creeks, rivers and backwaters, no such licence shall be granted within the Coastal Regulation Zone declared for the time being under the Environment (Protection) Act, 1986:

29 of 1986.

Provided further that nothing in this subsection shall apply in the case of an aquaculture farm which is in existence on the appointed day.

Explanation.—For the purposes of this subsection, “High Tide Line” means the line on the land up to which the highest water line reaches during the spring tide.

(7) No application for renewal of a licence for carrying on any activity connected with aquaculture farming shall be rejected unless the holder of such licence has been given a reasonable opportunity of presenting his case.

(8) Every person to whom a licence has been issued or renewed under this section shall comply with the terms and conditions specified in the licence and the provisions of the Act and the rules, regulations and orders made thereunder.

Explanation.—For the purposes of this section, “appointed day” means the date of establishment of the Authority.

CHAPTER V

FINANCE, ACCOUNTS AND AUDIT

Payment to
Authority.

14. The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Authority in each financial year such sums as may be considered necessary for the performance of functions of the Authority under this Act.

Fund of
Authority.

15. (1) The Authority shall have its own fund and all sums which may, from time to time, be paid to it by the Central Government and all the receipts of the Authority (including any sum which any State Government or any other authority or person may hand over to the Authority) shall be credited to the fund and all payments by the Authority shall be made therefrom.

(2) All moneys belonging to the fund shall be deposited in such banks or invested in such manner as may, subject to the approval of the Central Government, be decided by the Authority.

(3) The Authority may spend such sums as it thinks fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the fund of the Authority.

16. The Authority shall prepare, in such form and at such time each year as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure and copies thereof shall be forwarded to the Central Government.

Budget.

17. The Authority shall prepare once in every calendar year, in such form and at such time as may be prescribed an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament.

Annual report.

18. (1) The Authority shall cause to be maintained such books of account and other books in relation to its accounts in such form and in such manner as may, in consultation with the Comptroller and Auditor-General of India, be prescribed.

Accounts and audit.

(2) The Authority shall, as soon as may be, after closing its annual accounts, prepare a statement of accounts in such form, and forward the same to the Comptroller and Auditor-General of India by such date, as the Central Government may, in consultation with the Comptroller and Auditor-General, determine.

(3) The accounts of the Authority shall be audited by the Comptroller and Auditor-General of India at such times and in such manner as he thinks fit.

(4) The accounts of the Authority as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament.

CHAPTER VI

MISCELLANEOUS

Members, officers and other employees of Authority to be public servants. 19. The Chairperson and other members and the officers and other employees of the Authority shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Protection of action taken in good faith. 20. No suit, prosecution or other legal proceeding shall lie against the Central Government or against the Chairperson or other members of the Authority or any other person authorised by the Chairperson or other members for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

Power to remove difficulties. 21. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of the period of two years from the date of the commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

22. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

Power of
Central
Government
to make
rules

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

(a) all or any of the matters referred to in section 3;

(b) the terms and conditions of the service of the members under sub-section (5) of section 4;

(c) the terms and conditions for reappointment of a member under section 6;

(d) to perform such other functions by the Authority under clause (e) of sub-section (1) of section 11;

(e) the conditions and restrictions with respect to the exercise of the power to enter under section 12 and the matters referred to in clause (c) of that section;

(f) the application form and fee for grant of licence under sub-section (4) of section 13;

(g) the form in which and the time within which the Authority shall prepare its budget under section 16 and its annual report under section 17;

(h) the manner in which the accounts of the Authority shall be maintained and audited and the date before which the audited copy of the accounts together with the auditor's report thereon shall be furnished to the Central Government under section 18;

(i) any other matters which is required to be or may be, prescribed.

Power of Authority to make regulations.

23. (1) The Authority may, by notification in the Official Gazette, make regulations not inconsistent with the provisions of this Act, and the rules generally to carry out the purposes of this Act.

(2) In particular, and without prejudice in the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the times and places of the meetings of the Authority and the procedure to be followed for the transaction of business at such meetings;

(b) the terms and conditions of service, method of recruitment and the remuneration of the officers and other employees appointed by the Authority;

(c) the terms and conditions, method of appointment of any person as adviser or consultant;

(d) the form and conditions subject to which a licence may be granted under clause (c) of sub-section (3) of section 13;

(e) generally for better regulation of the aquaculture farming.

Rules and regulations to be laid before Parliament.

24. Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

25. (1) Notwithstanding anything contained in clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 or clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, in the notification of the Government of India in the Ministry of Environment and Forest No. S.O. 114(E), dated the 19th February, 1991 (hereafter referred to in this section as the said notification), in paragraph 2, after sub-paragraph (xiii), the following sub-paragraph shall be inserted and shall always be deemed to have been inserted with effect from the 19th day of February, 1991, namely:—

“(xiv) nothing contained in this paragraph shall apply to aquaculture.”

(2) The said notification shall have and shall be deemed always to have effect for all purposes as if the foregoing provisions of this section had been in force at all material times and accordingly notwithstanding anything contained in any judgement, decree or order of any court, tribunal or authority, no aquaculture farming carried on or undertaken or purporting to have been carried on or undertaken shall be deemed to be in contravention of the said notification and shall be deemed to be and to have always been for all purposes in accordance with law, as if the foregoing provisions of this section had been in force at all material times and notwithstanding anything as aforesaid and without prejudice to the generality of the foregoing no suit or other proceeding shall be maintained or continued in any court for the enforcement of any direction given by any court of any decree or order directing the removal or closure of any aquaculture farms activity or demolition of any structures connected thereunder which would not have been so required to be removed, closed or demolished if the foregoing provisions of this section had been in force at all material times.

STATEMENT OF OBJECTS AND REASONS

The Supreme Court in Writ Petition (Civil) No. 561/1994 has held that aquaculture is an industry and hence it is covered by the prohibition imposed by sub-paragraph (i) of paragraph 2 of the notification of the Government of India in the Ministry of Environment and Forests No. S.O. 114(E), dated 19.2.1991 issued under sub-section (1) of section 3 of the Environment (Protection) Act, 1986 and read with rule 5(3) (d) of the Environment (Protection) Rules, 1986. The Supreme Court has further directed that an Aquaculture Authority shall be established to regulate aquaculture in coastal areas. The intention of the Government was not to treat coastal aquaculture as a prohibited activity within the meaning of the said notification. The effect of this judgment is to close all aquaculture farms, except traditional and improved traditional, in the coastal areas. This activity mainly utilizes saline areas along the coast-line which areas are not suitable for other activities and provides employment to approximately three lakh workers. Large investment of public and private funds has also been made in this farming/activity. If these farms are closed down, it may lead to about three lakh workers being rendered unemployed. Hence, it is considered necessary to bring this Bill to save the employment of the workers and also the investment already made in this economic activity. It is also considered necessary to provide for future growth of aquaculture farming in a manner which is consistent with the requirement of safeguarding of the environment. In order to achieve the above objects and to clear all doubts, it has been decided to amend the said notification to clarify that aquaculture was not intended to be a prohibited activity within the meaning of that notification. Since it is necessary to validate all coastal aquaculture farms set up hitherto retrospectively, this legislation has become necessary. It is proposed to set up an Aquaculture Authority to regulate shrimp farming activities in coastal areas in future as well as to review the cases of existing aquaculture farms and to ensure that only those which carry on aquaculture farming in an eco-friendly manner will be allowed to continue. Further the Bill would provide for making rules by Government of India for ensuring that aquaculture is not detrimental to coastal environment. A provision has also been made for payment of compensation to workmen in accordance with the provision of the Industrial Disputes Act, 1947 in respect of the farms that are to be closed down after the review by the Authority.

2. The Bill seeks to achieve the above objects.

NEW DELHI;
The 18th February, 2000.

NITISH KUMAR.

FINANCIAL MEMORANDUM

Sub-clause (1) clause 4 of the Bill provides for the establishment of an Aquaculture Authority and sub-clause (5) of the said clause relates to the salaries and allowances of the Chairperson and other members of the Authority. Clause 9 *inter alia* provides for the salaries and allowances of the officers and other employees of the Authority.

2. It is estimated that the Bill, when enacted, will involve a non-recurring expenditure of rupees fifty-seven lakhs and fifty-four thousands and recurring expenditure of rupees forty-one lakhs and thirty-four thousands during every financial year.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 22 of the Bill empowers the Central Government to make rules to carry out the provisions of the Bill. The matters in respect of which rules may be made, *inter alia*, includes to prohibit any activity which is detrimental to coastal environment, the terms and conditions of the appointment of the members, procedure to be followed by members in the discharge of their functions, inspection of the aquaculture farms, the form and manner in which the budget and reports are to be prepared by the Aquaculture Authority and the manner in which the accounts of the Authority are to be maintained.

2. Clause 23 of the Bill empowers the Authority to make regulations consistent with the provisions of the Bill and the rules made thereunder. The matters in respect of which regulations may be made, *inter alia*, relate to regulating the meetings of the Authority and the procedure for conducting business thereof, the terms and conditions of service of the officers and employees of the Authority, regulations for the construction and operation of aquaculture farms within the coastal areas.

3. The matters in respect of which the rules or regulations may be made are matters of procedure and administrative detail. The delegation of legislative powers is thus of a normal character.

RAJYA SABHA

A

BILL

to provide for the establishment of an Aquaculture Authority for regulating the activities connected with aquaculture in the coastal areas and for matters connected therewith or incidental thereto.

(Shri Nitish Kumar, Minister of Agriculture)

ANNEXURE-II

LARGE HOUSES THAT VENTURED INTO SHRIMP AQUACULTURE

Sl.No.	Name and address of the Company	Area of land (ha)	Location of farm	Whether operating now	Since when closed	Remarks
1	2	3	4	5	6	7
Orissa						
1.	M/s. Kalinga Aquatic Ltd. Plot No: 2132/4299, Nageswar Tangi Bhubaneswar-751 002		Vill. Panaspada Distt. Puri	Not in operation	Since 1993 94	400.0 ha. Not developed. Discontinued in construction state itself.
Andhra Pradesh						
2.	M/s. Balaji Biotech Ltd. Tulipalem Post Vakadu Mandal, Nellore Distt.	200	Pulipalem (V) Vakada (M) Nellore (D)	Around 10 ha area is in operation	Remaining area was closed since 1999	
3.	The Waterbase Ltd. Ananthapuram Post TP Gudur Mandal Nellore Distt.	112	Ananthapuram Village TP Gudur (M) Nellore (D)	Around 40 ha area is under operation	Remaining area were closed since 1999	

1	2	3	4	5	6	7
4.	M/s. Nagarjuna Aqua Exports Ltd. 24-429 B, JV Reddy Apts. Saraswathi Nagar Dargamitta, Nellore-3	100	Chennaratyna Palem Village Bogole Mandal Nellore Distt.	Not in operation	Since 1998	
Tamil Nadu						
5.	M/s. MAC Industries 183, Mount Road Chennai	25	Pattinamarudur Tuticorin Distt.	Not in operation	Since May 1997	
6.	M/s. Harrisons Aqua Spencer Plaza, Mound Road, Chennai	20	Vanagiri, Nagai Distt.	In Operation	NA	
Karnataka						
7.	M/s. Ballarpur Industries Ltd. Chemicals Division Binaga, Karwar		Medengeri Village Kumta Taluk	—	74 ha. Not developed. Transferred to Murudeswar Foods who also did not develop the area	
8.	M/s. Murudeswar Foods and Exports Pvt. Ltd., Honavar	150.00	Bequli Kumta Taluk	Not in Operation	Since 1997-98	All area have developed

1	2	3	4	5	6	7
Maharashtra						
9.	M/s. Ruia Aquaculture Farm Ltd. 101/3, Kedia Chambers SV Road Malad, Mumbai	91	Khardi Datiware (V) Palghar (T) Thane (Dt)	In operation		
Gujarat						
10.	M/s. ABG Foods Ltd. 3/B, II Floor, Shreepani Bhavan Manushaheb Varkar Bridge Mumbai-400 007	60	Mendhar-Bhat Village Navsari (Dt)	In operation		

ANNEXURE-III

COMPANIES HAVING 40 Ha AND ABOVE AREA UNDER SHRIMP AQUACULTURE

Sl. No.	Name and address of the Company	Area of land (ha)	Location of Farm	Whether operating now	Since when closed	Remarks
1	2	3	4	5	6	7
West Bengal						
1.	M/s. Rinis Marine & Food Pvt. Ltd. 4/2, Middleton Street Calcutta-700 071	20.0	Vill. Jharkhali, P.S. Gosaba, Dist. South 24 Parganas	Not in operation	Since 1995	1580 ha. not developed
2.	M/s. Madhania Construction Pvt. Ltd. 33A, J.L. Nehru Road Calcutta-700 071	8.0 & 47.0	At Bakkhali, Namkhana South 24 Parganas & At Gusabidya PS Basanti South 24 Parganas	Not in operation	Since monsoon Crop 2000	
3.	M/s. Sargo Fisheries Ltd. Vill. Shankarpur PO Shankarpur Ranuragar Midnapore	45.78	Vill. Aharkarpur PO Shankarpur PS Ranuragar Midnapore	In operation	—	

1	2	3	4	5	6	7
4.	M/s. Bengal Aquatic Farms Ltd. Village & PO Digha PS Ramnagar Midnapore	58.97	Vill. Alankarpur PS Ramnagar Midnapore Dist.	In operation	—	
5.	M/s. Unique Aqua Farms Ltd. Vill. Silarpore PO Kalindi PS Ramnagar Midnapore Distt.	60.00	Vill. Silampur Kalindi PS Ramnagar Midnapore Dist.	Not in operation	Since monsoon crop 2000	
6.	M/s. Sundarban Aquatic Farms Ltd. 1/425, Gariabhat Road (South) 8th Floor Calcutta-700 068	200.00	Vill. Henry's Island PS Namkhana South 24 Parganas	Not in operation	Since 1998	—
Orissa						
7.	M/s. Falcon Marine Exports Ltd. A-22, Cuttack Road Falcon House Bhubaneswar-751 006	47.00	10 ha in Ersama Jagatsingpur Dt. 25 ha in Jhadalinga Dt. Puri 12 ha. is Deo Kani Jagatsingpur Dt.	In operation	—	—
8.	M/s. Suryo Foods & Industries Ltd. A/68, Sahid Nagar Bhubaneswar-751007	40.27	Narendrapur/Chandbali/ Karanimal Bhadrak Dt.	Not in operation	Since 1998	
9.	M/s. Oriqua Ltd. 104, Chatterjee Industrial Centre 33A, JN Road Calcutta-700 071	65.00	M/s. Karanjmal Bhadrak Dt.	Not in operation	Since 1998	

1	2	3	4	5	6	7
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Andhra Pradesh

10.	M/s. NCC Blue Water Products Ltd. 41, Nagarjuna Hills Hyderabad	56	Chandanada (V) Nakkapalli (M) Visakhapatnam (D)	In Operation	NA
11.	M/s. Rank Aqua Ltd. 1, Saraswathi Nagar Dargamitta Nellore-524 003	100	Ramatheetham (V) Vidavaluru (M) Nellore (Dt)	Not in operation	Since 1997
12.	M/s. Suvarna Aqua Farms & Exports Ltd. Pakala Post Singarayakonda (VLA) Prakasam Dt.	80	Pakala Village Singarayakonda Mangal Prakasam Dt.	Not in operation	Closed since 1998
13.	M/s. Nagarjuna Aqua Exports Ltd. 24-429-B, JV Reddy Apts. Saraswathi Nagar Dargamitta, Nellore-3	100	Chennaratyna Palem Village Bogole Mandal Nellore Distt.	Not in operation	Since 1998

Tamil Nadu

14.	M/s. S&S Industries Radhavilagam Sirkazhi Taluk	46	Radhanallore Nagai Dist.	Not in operation	Since Jan. 1998
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1	2	3	4	5	6	7
15.	M/s. Amalgam Marine Harvests Ltd. Melayur Nagai Dist.	48	Melayur Nagai Dist.	Not in operation	Since Jan. 1998	
16.	M/s. Trimarine Food Pvt. Ltd. Cochin	—	—	—	—	43 ha. Not developed
Karnataka						
17.	M/s. Melrus Aquaculture Pvt. Ltd. M/s. Karavali Aquaculture Pvt. Ltd. PD Kamath Compound, Kasaba, Keri, Ankola	69.20	Betkuli, Kumta	In operation	—	—
18.	Aqua Gold Marine Ltd. 103, VHBGS Lay out Mahalaxmi Puram, Bangalore	42.80	Kegal, Kumta	Not in operation	—	—
19.	M/s. Zee Seafoods Ltd. 742, C Ward Vivek Nagar, College Road Kumta	72.85	—	Not in operation	—	—
20.	Ms. Seabee Aquafarm Pvt. Ltd. 204, Nidhi Apartment 40, Netaji Road, Fraser Town Bangalore	—	—	—	—	46.50 ha. area not developed

1	2	3	4	5	6	7
Goa						
21.	M/s. Movaj Enterprises Pvt. Ltd. Beach Nest No: 2, Flat 2 Ground Floor, Miramar Panaji, Goa	—	Quellasm Marmagao Taluk	—	—	81 ha. Not developed
22.	M/s. VS Dempo & Co. Ltd. Dempo House, Campus Panjim Goa	60.00	Candole Ponda Taluk	In Operation	—	—
Maharashtra						
23.	M/s. Shakti Aqua Farm Ltd. 2nd Floor, 126, Gulmohar Road No. 10, Behind UT I, JVP D. Scheme, Nuhu Mumbai	96.00	Vedi (V) Palghar (T) Thane (D)	In operation	—	—
24.	M/s. Parcham Aquaculture Farms Ltd., 103-B, Wing, Mittal Tower Nariman Point Mumbai	100	Jalsar & Vedi (V) Palghar (T) Thane (Dt.)	In operation	—	—
25.	M/s. King Prawns Pvt. Ltd., 202, Varun II, Near Saibaba Mandir, Raheja Township Malad (E), Mumbai	70	Vedi (V) Palghar (T) Thane (Dt)	In operation	—	—

1	2	3	4	5	6	7
26.	M/s. Ocean Harvest Fisheries Ltd., Meherzine Commercial Centre 1st Floor, Wode House Road, Colaba Mumbai	55	Galsure & Kharshet (V) Shrivardhan (T) Raigad Dt.	In operation	—	—
27.	M/s. Shantaru Sheory Aquaculture Ltd., 3rd Floor, Bandey House 94-B, August Kranti Marg Gowalia Tank Mumbai-400 036	60	Salvi (Mithaghar) (V) Murud (T) Raigad (Dt.)	Not in operation	—	—
Gujarat						
28.	The Gujarat Fisheries Central Co-operative Association Ltd. (Govt. of Gujarat Enterprise) Besides Reserve Bank of India) La-Gujar Chambers, Ashram Road Ahmedabad-380 009	117	36 ha. on Onjal Village 35 ha. in Vansi Borsi Village 46 ha. in Mendhar Bhat Village Navsari District	In operation	—	—