

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION S.O.88(E), dated 6/02/1997.

(incorporating amendments vide S.O.173(E), [7/3/1997], S.O.421(E), [30/5/1997], S.O.493(E), [8/7/1997], S.O.774(E), [10/11/1997], S.O.99(E), [4/2/1998], S.O.80(E), [5/2/1999], S.O.623(E), [3/8/1999])

1. **S.O.88 (E).** - In exercise of the powers conferred by sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereinafter referred to as the said Act,) the Central Government hereby constitute an authority known as Aquaculture Authority to deal with the situation created by the shrimp culture industry in the coastal States and Union Territories consisting of the following members for a period of three years and six months from the date of publication of this notification in the Official Gazette, namely :-

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| (1) | Justice G.Ramanujam,
(Retired Judge of the Madras High Court) | Chairperson |
| (2) | Dr.G.R.M. Rao
Director,
Central Instt.of Brackishwater Aquaculture,
Egmore, Chennai - Expert in the field of aquaculture. | Member |
| (3) | Prof R.C. Das
Retired Chairman,
Orissa Pollution Control Board,
Bhubaneswar - Expert in the field of Pollution control | Member |
| (4) | Dr. Satish Chandra
Retired Director,
National Instt. of Hydrology,
New Delhi -- Expert in the
Field of environment protection. | Member |
| (5) | Shri V. Rajagopalan,
Joint Secretary
- Representative of the Ministry of Environment &
Forests, New Delhi. | Member |

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| (6) | Dr.K. Gopakumar
Dy. Director General
(Fisheries)
Indian Council of Agricultural Research -
Representative of the Ministry of Agriculture | Member |
| (7) | Shri V. Venkatesan
Director,
Marine Products Export
Development Authority,
Kochi - Representative of the Ministry of Commerce | Member |
| (8) | Dr.Y.S. Yadava
Fisheries Development
Commissioner,
(Deptt.of Animal Husbandry & Dairying) | Member
Secretary |

2. The Authority shall exercise the following powers and perform the following functions, namely:

(i) exercise of powers under section 5 of the Environment (Protection) Act, 1986 for issuing direction and for taking measures with respect to matters referred to in clauses (v), (vi), (vii), (ix) and (xii) of sub-section (2) of section 3 of the said Act.

(iii) to ensure that no shrimp culture pond can be constructed or setup within the Coastal Regulation Zone and upto 1000 m of Chilka lake and Pulicat lake (including bird sanctuaries namely, Yadurapattu and Nelapattu);

(iv) to ensure and give approval to the farmers who are operating traditional and improved traditional systems of aquaculture for adoption of improved technology for increased production;

(v) to ensure that the agricultural lands, salt pan lands, mangroves, wetlands, forest lands, land for village common purposes and the land meant for public purposes shall not be used or converted for construction of shrimp culture ponds;

(vi) the Authority shall implement the "Precautionary Principle" and the "Polluter Pays Principle", by adopting the procedure described

in the Supreme Court order dated 11-12-1996 passed in the Writ Petition (Civil) no. 561 of 1994;

(vii) the Authority shall also regulate the shrimp culture activities outside the Coastal Regulation Zone areas and beyond 1000m from the Pulicat lake and Chilka lake and also give the necessary approvals / authorisation by the 30th April, 1997;

(viii) the Authority in consultation with expert bodies like National Environmental Engineering Research Institute, Central Pollution Board, respective State Pollution Control Boards shall frame Scheme/Schemes for reversing the damage caused to the ecology and environment by pollution in the coastal States and Union Territories;

(ix) the Authority shall ensure the payment of compensation to the workmen employed in the shrimp culture industries as per the procedure laid down in the Supreme Court Order dated 11- 12-96 passed in the Writ Petition (Civil) No. 561 of 1994;

(x) to comply with the relevant orders issued by the concerned High Courts and Supreme Court from time to time;

(xi) to deal with any other relevant environment issues pertaining to coastal areas with respect to shrimp culture farming, including those which may be referred to it by the Central Government in the Ministry of Environment and Forests.

3. The jurisdiction of the Authority shall cover all the coastal States and Union territories;
4. The Scheme/Schemes framed by the Authority for reversing the damage caused due to the pollution in the coastal States and Union Territories shall be executed by the respective State Governments and Union Territory Administrations under the supervision of the Central Government.
5. The Authority shall function under the administrative control of Government of India in the Ministry of Agriculture, with its headquarters at Chennai.
6. The terms and conditions of appointment of the Chairperson and members shall be as determined by the Central Government from time to time.

[F. No. L-11011/12/94-IA-III]

R. H. KHWAJA, Jt. Secy.

