

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION No. 23 OF 2019

IN THE MATTER OF:

Farmer Community Kadali, A.P. Applicant(s)
Versus
State of Andhra Pradesh Respondent(s)

I N D E X

S.No.	Particulars	Page Nos.
1.	Hon'ble National Green Tribunal, Principal Bench Order dated 15.01.2019.	1-2
2.	Report of A.P. Pollution Control Board.	3-9
3.	Government of Andhra Pradesh G.O.Ms No.7 Animal Husbandry, Dairy Development and Fisheries(Fish-II) Department dt: 16/03/2013.	10-33
4.	Joint Director Fisheries Kakinada East Godavari Notice No.6689/A6/2016, dt:25/04/2019.	34
5.	Action Taken by A.P. Pollution Control Board Lr.No.2419/PCB/ZO-VSP/NGT/2019-116, Dt. 21/05/2019.	35-37


Andhra Pradesh Pollution Control Board

K. VENKATESWARA RAO
[Legal Cell].

Place: Vijayawada.

Date : 21.05.2019.

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 23/2019

Farmer Community Kadali, AP

Applicant(s)

Versus

State of Andhra Pradesh

Respondent(s)

Date of hearing: 15.01.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Application is registered based on a complaint received by post

ORDER

Allegation in this letter, which has been treated as an application, is that the paddy fields in survey nos. 569, 582, 583 at Kodali, Razole Mandal, East Godavari District, Andhra Pradesh are being converted to prawn culturing ponds to the extent of 30 acres. This is creating groundwater and other pollution as no precautionary steps are taken. Health of children and other inhabitants is affected.

Let the Andhra Pradesh State Pollution Control Board (APSPCB) look into the matter and take appropriate action in accordance with law within one month and furnish a factual and action taken report.

Report may be furnished by e-mail at ngt.filing@gmail.com within one month.

Copy of this order, along with complaint, be sent to the APSPCB by e-mail for compliance.

Needless to say that order of National Green Tribunal is binding as a decree of Court and noncompliance is actionable by way of

punitive action including prosecution, in terms of the National Green Tribunal Act, 2010.

List for further consideration on 25.04.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM



January 15, 2019
DV

Report of the Joint Committee constituted by APPCB for inspection of aqua culture ponds in Kadali Village, Razole Mandal, East Godavari District in compliance to Hon'ble National Green Tribunal New Delhi Order dated: 15.01.2019 in O.A. No. 23 of 2019.

The Hon'ble National Green Tribunal considered the allegation in the letter, which has been treated as an application and is that the paddy fields in survey nos. 569, 582, 583 at Kadali Area, Razole Mandal, East Godavari District, Andhra Pradesh are being converted to prawn culturing ponds to the extent of 30 acres. This is creating groundwater and other pollution as no precautionary steps are taken. Health of children and other inhabitants is affected.

The Hon'ble NGT, New Delhi vide order dated: 15.01.2019 in O. A. No. 23 of 2019 directed Andhra Pradesh State Pollution Control Board (APSPCB) to look into the matter and take appropriate action in accordance with law within one month and furnish a factual and action taken report.

A.P. Pollution Control Board vide order dated: 01.05.2019 constituted the following four member joint committee to inspect the fish / prawn ponds located in survey nos. 569, 582 & 583 at Kadali Area, Razole Mandal, East Godavari District and to submit a report of factual aspects in the above matter:

1. The Senior Environmental Engineer, APPCB, Zonal Office, Visakhapatnam.
2. The Environmental Engineer, APPCB, Regional Office, Kakinada.
3. The Assistant Director, Fisheries Department, *Razole*, East Godavari District.
4. The Tahsildar, Razole, East Godavari District

Accordingly, the committee consisting of the following members inspected the fish / prawn ponds located in survey nos. 569, 582 & 583 at Kadali Area, Razole Mandal, East Godavari District and the surrounding agricultural lands on 08.05.2019.

1. Sri P. Ravindra Nath, Senior Environmental Engineer, APPCB, Zonal Office, Visakhapatnam.
2. Sri A. Ramarao Naidu, Environmental Engineer, APPCB, Regional Office, Kakinada.
3. Sri V. Krishna Rao, Assistant Director, Fisheries Department, *Razole*, East Godavari District.
4. Sri D. Srinivas, Deputy Tahsildar, Razole, East Godavari District.

The committee obtained the following details from Sri Anjaneyulu, VRO Kadali Village about farmers/relatives representing the farmers having the land holdings adjacent/abutting the fish/prawn ponds located in survey nos. 569, 582 & 583 at Kadali Area, Razole Mandal, East Godavari District:

S.No.	Name of the farmer	Survey No.	Extent (in acres)	Location with reference to the ponds
1.	Sri A. Koteswaramma W/o. Koteswara Rao	568	4.45	West
2.	Sri M. Ramalingaeswara Sharma S/o. Satyanarayana Murthy	570/8A, 571/7A	1.49	West
3.	Smt. Kasina Naga Pavani, W/o. Jagabattina Kota Praveen	585, 629/2, 3, 630/3	2.2	East
4.	Smt. Andra Bassava Naga Lakshmi, W/o. Pedu VeeraRaju	585, 586	2.0	East
5.	Smt. Katta Jhansi Lakshmi W/o. Venkateswara Rao	584, 585	2.9	North East corner
6.	Sri N Gopala Krishna Raju S/o. Krishna Raju	580, 592/2, 589/2, 4, 5	4.07	North

The committee interacted with the following people viz., Sri Nakka Ganga Raju, Sri Katta Venkateswara Rao, Sri Peethala Ramachandra Rao, Sri Elamarthi Srinu Babu, Sri Elamarthi Durgaiyah, Sri Kosina Prasad, Sri Nanaji, Sri Elamarthi Nagur & Sri Elamarthi Veerayya. Some of them are the blood relatives of the actual owners of the agricultural

fields abutting the aqua ponds and others are the farmers belonging to the Kadali Village having land holdings in the nearby area.

During interaction, the farmers informed that the agricultural lands belonging to Sri Rudra Raju Rajesh Varma(Extent: 2.4 acres, 5.0 acres, 1.0 acre & 4.0 acres Totaling: 12.4 acres) & Sri Penmetsa China Venkata Raju(Extent: 19.49 acres) were converted to prawn ponds inspite of their protest and submission of representations/petitions to the MRO, District Collector and also informed about the W.P. No.6689 & 19639 of 2017 filed in the Hon'ble High Court of A.P. pleading not to give permissions for conversion of agricultural land into fresh water aquaculture ponds. However, the District Authorities have given permission and the culture in the ponds started from the end of January Month 2019. They informed that there will be depletion in the yield of the agricultural lands surrounding the ponds ultimately affecting their lively hood. The farmers have shown the water logging in their agricultural lands, however they also informed that most of the water logging is due to entry of water from the Kadali drain into minor agricultural drains which are provided for evacuation of excess irrigation water from their agricultural lands. They also informed that this is a regular/daily phenomenon happening due to raise in water levels in the Kadali drain due to tidal action i.e., raise in the level due to high tide and recede during low tide.

The following observations are recorded on the agricultural lands abutting the ponds in all directions:

1. Water logging was observed in almost all the fields abutting the ponds in all directions. Water logging was observed to be more in the fields which are close to the Kadali drain.
2. Minor agricultural drains were observed on one of the sides of the agricultural lands abutting the ponds.
3. A seepage trench/drain is observed to be existing all around the boundary of the aquaculture ponds. The bund of the seepage trench/drain is around 1/2 meter height with coconut trees for a length of 250 to 300 meters in the south-west side of the ponds and after that the height of the bund for the trench is varying from 0.2 mts to 0.3 mts all along the other part of the periphery.
4. Considerable quantity of seepage from the ponds is being collected in this seepage trench/drain and is flowing into Kadali drain through 2 outlets in the south-west and south-east corners of the pond boundary. In normal conditions the seepage flows into Kadali drain but during high tide periods the flow from Kadali drain is entering into the seepage trench/drain and at places where the bund of the trench is low the water is flowing into adjacent agricultural lands. This back flow from the drain is also carrying the seepage from the aqua ponds into the agricultural fields, especially in the fields abutting the ponds in north-west corner, western boundary and north-east boundary.
5. The farmers have shown this flow of seepage along with drain water into their fields and informed that their agricultural fields are getting affected by seepage.
6. The photographs of the agricultural fields abutting the aqua ponds are submitted below:



Agricultural fields in the south west corner



Seepage trench in the south west corner



Agricultural fields in north east corner



Seepage trench in north east corner



Water logging



Section of seepage trench / drain



After interaction with the farmers the team visited the aquaculture ponds which is bunded and a boundary wall was made with green net. Sri Venkata Raju, lease holder of the ponds was present. He informed that they have taken lease of the ponds from the land owners and started culture in the month of February - 2019. They have obtained all the permissions for the activity. The following observations on the culture ponds are recorded:

1. 13 Nos. of culture ponds of varying sizes are existing inside the boundary of the green net. Only two of these ponds are having culture i.e., fish and prawns. All other

11 ponds have been harvested and the water has been drained from one pond and draining is progress from another pond and 9 other ponds in which harvesting was completed are ready for drain out.

2. Stocked water from the ponds is discharged into Kadali drain through an internal channel having outlet into Kadali drain. This internal channel/drain orientated from north to south to discharge the stocked water from the ponds after the harvest and also the exchange water is existing in the middle internal bunds of the ponds i.e., the 13 nos. of the ponds are existing on either side of this drain.
3. All the ponds were physically inspected for the presence of animals(fish/prawn) and salinity of the water stocked in each pond was noted and is submitted below:

SNo.	Pond	Salinity (PSU)	Weather fish/prawn crop existing or not
1.	Pond-1	4.23	No
2.	Pond-2	4.01	No
3.	Pond-3	3.67	Yes
4.	Pond-4	4.06	No
5.	Pond-5	4.72	No
6.	Pond-6	2.95	No
7.	Pond-7	3.98	No
8.	Pond-8	2.26	Yes
9.	Pond-9	5.32	No
10.	Pond-10	3.13	No. Draining in progress.
11.	Pond-11	2.34	No
12.	Pond-12	--	Pond is empty
13.	Pond-13	4.65	No

4. It is observed from the above that the saline aqua culture is being taken up in all the 13 ponds.
5. Sri Anjaneyulu, VRO, Kadali Village informed that permission was given for conversion of 31.89 acres with a water spread area of around 26.75 acres which is existing in the boundary of the green net.
6. Some of the photos of the aqua ponds are submitted below:



Aqua culture ponds



Discharge from aqua ponds into internal channel



Outlet of the internal channel discharging from aqua ponds joining Kadali drain

7. Water samples were collected from various points during inspection. The status of various parameters in the samples collected at various points is submitted below:

2019 - 05 - W - 106: sample collected from the stagnated water in the fields of Sri Nakka Ganga Raju (West Side)

2019 - 05 - W - 107: Sample collected in the trench between cultivated ponds & fields towards western side

2019 - 05 - W - 108: Sample from cultivated pond-10, which is being evacuated

2019 - 05 - W - 109: sample collected from the stagnated water in the fields (East Side)

2019 - 05 - W - 110: Sample collected in the trench between cultivated ponds & fields towards eastern side

2019 - 05 - W - 111: Sample from discharge drain in between the ponds

2019 - 05 - W - 112: Kadali drain adjacent to cultivated ponds

Sl. No.	Parameters	2019 05 W- 106	2019 05 W-107	2019 05 W- 108	2019 05 W- 109	2019 05 W- 110	2019 05 W- 111	2019 05 W-112
1.	pH	6.94	7.11	7.46	7.28	7.17	7.52	7.38
2.	Dissolved Oxygen	5.1	6.4	2.9	5.8	6.0	2.7	3.5
3.	Salinity (as PSU/PPT)	2.7	3.5	3.1	2.6	3.2	2.5	3.7
4.	Total Suspended Solids at 105 ^o C	28	24	55	28	40	50	42
5.	Total Dissolved Solids at 105 ^o C	3269	4136	3675	3080	3780	2960	4280
6.	Chemical Oxygen Demand	40	44	60	32	40	56	52
7.	Biochemical Oxygen Demand	5.0	5.8	8.0	4.0	4.8	7.2	7.0
8.	Chlorides (as Cl ⁻)	1890	2401	2140	1620	2189	1507	2545
9.	Ammonical Nitrogen (as NH ₃ -N)	0.02	BDL	BDL	BDL	BDL	0.31	BDL
10.	Phosphates (as PO ₄ ³⁻)	0.10	BDL	0.17	0.12	0.18	0.23	0.06
11.	Sulphates (as SO ₄ ²⁻)	35.6	48.4	44.6	40	52	42	59.2

Note: - All values are expressed in mg/l except pH & Salinity
BDL: Below Detectable Limit

Remarks:

1. Sri Rudra Raju Rajesh Varma(Extent: 2.4 acres, 5.0 acres, 1.0 acre & 4.0 acres Totaling: 12.4 acres) & Sri Penmetsa China Venkata Raju(Extent: 19.49 acres)have obtained provisional registration of fresh water aqua culture ponds vide orders dated: 26.01.2017, 31.12.2016, 31.12.2016, 28.01.2017 and 14.12.2015 respectively. They also obtained certificate of registration for fresh water aquaculture vide order dated: 16.11.2018 for all the ponds.
2. These ponds are existing in the midst of agricultural lands where the regular crop is paddy which is cultivated 2 or 3 times in an year depending on the availability of water for cultivation. The ponds are bounded by

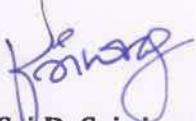
North :	Earthen Road followed by Kadali drain.
South :	Paddy fields
East :	Paddy fields
West :	Paddy fields
3. As per the certificate of registration the ponds are permitted to carry out only fresh water aquaculture with zero salinity. However, the aquaculture being taken up in all the 13 ponds is saline aquaculture, as noted from the salinity levels of the water stocked in each of the 13 ponds.
4. The Joint Director, Fisheries Department, Kakinada issued notice dated: 25.04.2019 recording the saline aquaculture being taken up in the ponds and directed immediate harvesting of the culture in all the 13 ponds and the same is in progress.
5. Most of the water logging in the agricultural fields in the area is due to entry of water from the Kadali drain into minor agricultural drains which are provided for evacuation of excess irrigation water from the agricultural lands. This is a regular/daily phenomenon happening due to raise in water levels in the Kadali drain due to tidal action i.e., raise in the level due to high tide and recede during low tide.
6. Entire boundary of the fish/prawn pond area is bunded with 7 to 8 feet height earthen bunds followed by a seepage trench/drain to collect the seepage water generated due to the stocking of water in the ponds for aquaculture. The seepage collected in this trench is supposed to be discharged into Kadali drain. As submitted earlier the bund of the seepage trench existing towards the agriculture lands is of varying height from 0.2 mts to 0.5 mts. Due to the high tide action and raise in water level in the Kadali drain, there is back flow of water from Kadali drain into the seepage trench and this water along with the seepage collected in the seepage trench is over flowing into the abutting agricultural fields at points where the bund is of low height and weak. However, this water at these places finding way into agricultural lands is not getting cleared easily during the recede of the water level in Kadali drain due to low tide creating a continuous water logged situation at these places which is likely to impact the agriculture yields in these fields.
7. The analysis reports of the samples collected during inspection indicate slightly higher BOD levels in the pond and pond discharges than that in the Kadali drain. All the samples have the salinity levels between 2.5 to 3.7 PSU which are in the similar range of the salinity levels of the water stocked in various ponds. The salinity levels and the BOD level in the Kadali drain is 3.7 PSU & 7.2 mg/ltr respectively. The quality of water stagnated in the fields abutting the ponds and the water stagnated in the seepage trench is almost similar to that of the quality of water in the Kadali drain indicating the back flow of water into the agricultural fields through irrigation drains and also the seepage trench.
8. As submitted at 7 above, there is only slight variation in the quality of water in the seepage trench, stagnated water in the fields abutting the ponds and the Kadali drain. The impact of the seepage from the aqua ponds on the agricultural fields could not be assessed as the aqua culture has started only in the month of January-2019 and as it is the first crop. Continuing aqua culture with seepage trench/drain with weak bunds would have adverse impact on the agricultural fields abutting the aqua ponds due to flow of seepage water into the agriculture fields and creating continuous water logging situation.

9. The notice dated: 25.04.2019 issued by the Joint Director of Fisheries Department, the presence of considerable level of salinity recorded during the current inspection establishes the gross violation of the permission issued for fresh water aqua culture with zero salinity.

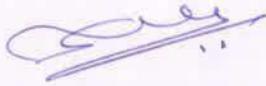
Recommendation:

In view of the remarks mentioned 8 & 9 above, the Chairman, District Level Committee on aqua culture, East Godavari District may be requested to take immediate action on the fish/prawn ponds 569, 582 & 583 at Kadali Area, Razole Mandal, East Godavari District for which the DLC, East Godavari District has accorded permission vide order dated: 16.11.2018.

Submitted.



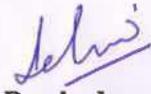
**Sri D. Srinivas,
Deputy Tahsildar,
Razole, East
Godavari District.**



**Sri V. Krishna Rao,
Assistant Director,
Fisheries
Department,
Razole,
East Godavari
District.**



**Sri A. Ramarao
Naidu,
Environmental
Engineer, APPCB,
Regional Office,
Kakinada.**



**Sri P. Ravindranath,
Senior
Environmental
Engineer, APPCB,
Zonal Office,
Visakhapatnam.**



Government of Andhra Pradesh

ABSTRACT

FISHERIES Department – Regulation of Fresh Water Aquaculture in the State - Consolidated orders- Issued.

ANIMAL HUSBANDRY, DAIRY DEVELOPMENT AND FISHERIES (FISH.II) DEPARTMENT

G.O.Ms.No. 7

Dated:16-03-2013

Read the following:

- 1) The Coastal Aquaculture Authority Act,2005
- 2) Judgment dated 11-12-1996 of the Hon'ble Supreme Court of India in the case of S Jagannath vs Union of India
- 3) Judgment dated 26-07-2001 of the Hon'ble High Court of A.P. in the case of M Padma Rambabu vs The Dist Forest office Kaklnada
- 4) Judgment dated 29-04-2011 of the Hon'ble High Court of A.P. in the case of Pulavarthy Ankaraju and others vs The Spl Chief Secretary, AH,DD & Fisheries, Government of AP, Hyderabad
- 5) The AP Agricultural Land (Conversion for non agricultural purposes)Act,2006
- 6) The AP Water Tax Act,1988
- 7) The AP Water, Land and Trees Act,2002
- 8) G.O.Ms No.83 AHDD&F Dept. dt.12-9-2007
- 9) G.O.Ms No.24 AHDD&F Dept. dt.9-4-2010
- 10) G.O.Ms No.47 AHDD&F Dept. dt.24-6-2010
- 11) G.O.Ms No.67 AHDD&F Dept. dt.12-9-2011
- 12) G.O.Ms No.79 AHDD&F Dept. dt.1-11-2011
- 13) G.O.Ms No.18 AHDD&F Dept. dt.3-4-2012
- 14) The AP Gazette Notification of Act No.16 of 2012 dt.14-5-2012
- 15) G.O.Ms.No.62, Law Dept., dated 14-5-2012
- 16) Minutes of the meeting of the Hon'ble Minister for AHDD&F, VU and Hon'ble Minister for Tourism& Culture dt. 13-6-2012 and 8-10-2012
- 17) From the Commissioner of Fisheries, Hyderabad, Letter No.4588/P2/2010, dt 22-6-2012
- 18) From the Commissioner of Fisheries, Hyderabad, Letter. No. 4588/P2/2010, Dt. 02-11-2012

ORDER:

In the G.O. 8th read above, orders were issued constituting a District Level Committee (DLC) with the District Collector as the Chairman of the Committee for regularizing the existing fresh water aquaculture ponds and for registering new fresh water aquaculture ponds and the guidelines to be followed by the District Level Committee in view of the policy of the Government that fresh water aquaculture should not cause any detriment to the ecology and environment and also that aquaculture activities have to be regulated to protect the livelihood of various sections of people.

P.T.O

2. In the meantime the Government of Andhra Pradesh has taken a decision to exempt lands converted to aquaculture from payment of NALA (Non-Agricultural Land Assessment) Tax vide the notification 14th cited.

3. The Government have conducted series of meetings for hearing the grievances of the aqua farmers. During the meetings, suggestions were made to streamline the implementation of the guidelines for granting permissions for fresh water aquaculture and their renewal

4. The Commissioner of Fisheries has sent comprehensive proposal vide reference 18th cited. The Government after careful examination of the proposal of the Commissioner of Fisheries and in supersession of the orders issued in the G.Os., vide references 8, 9, 10, 11 and 12 read above, hereby issue the following comprehensive and consolidated instructions and guidelines to consider the cases for regularization of existing unregistered fresh water aquaculture farms and also for registering new fresh water aquaculture farms:-

1. No person shall carry on fresh water aquaculture without registration in accordance with this order.

2. The District Level Committee shall be the Competent Authority to permit fresh water aquaculture by registration.

3. The District Level Committee shall consist of the following members to consider the applications in accordance with this order:-

Sl.No.	Composition of the District Level Committee	Status
1	District Collector	Chairperson
2	Executive Engineer, Irrigation Department	Member
3	Environmental Engineer, Pollution Control Board	Member
4	Deputy Director, Ground Water Department	Member
5	Joint Director of Agriculture	Member
6	District Fisheries Officer	Member Convener
7	Eminent Aqua Farmer	Member
8	Eminent Agriculture Farmer	Member
9	Eminent Environmentalist	Member

4. The Government shall nominate the members at Sl.No.7, 8 and 9 of the District Level Committee from time to time. Separate orders will be issued in this regard. Their tenure shall be 3 years.

5. The Member-Convener may invite the District Forest Officer for the District Level Committee meetings whenever forest lands are involved.

6. There will be no State Level Committee.

Contd...

7. The DLC shall follow the following procedure:-

7.1 The applicant shall have a clear title or enjoyment on the land in the village record such as Adangal/ Pahani /Kist receipt for more than 14 years in his name or shall be a lease holder of the land for a minimum period of five years for new tanks. It is clarifying that permission in enjoyment does not affect the title.

7.2 Fertile agriculture lands shall not be permitted for conversion into fresh water aquaculture ponds except in cases where agriculture lands are less productive, fallow, low lying, prone to water logging, etc.

7.3 Salt pan lands, mangroves, wet lands, forest lands, casuarina plantations, grazing grounds for cattle, lands meant for village common purposes, lands meant for public purposes, ecologically sensitive areas like national parks, sanctuaries, marine parks, etc. shall not be used or converted for fresh water aquaculture.

7.4 Fresh water aquaculture is permissible by using water from irrigation canals, drainage channels (notified or non-notified), field channels, etc. which are not in the prohibited list of the Irrigation Department, by paying Water Cess as per the Andhra Pradesh Water Tax Act, 1988.

7.5 The fresh water aquaculture farms should not obstruct natural drainage canals/ flood drains and cause flooding of low lying areas and villages.

7.6 While using common property resources like creeks, canals, etc. the traditional rights of the local communities should not be adversely affected.

7.7 Dykes or dams should not be constructed over common property resources like creeks, canals, etc. to the detriment of the interests of local communities or farmers.

7.8 Fresh water aquaculture farms should be located at least 10 meters from the nearest village(s)/ hamlet(s).

7.9 Fresh water aquaculture farms should maintain a minimum distance of at least 10 meters from the nearest drinking water source.

7.10 Fresh water aqua culture farms should maintain a minimum distance of at least 3 meters from burial grounds and places of worship.

7.11 There shall be a minimum distance of 3 meters between the fresh water aquaculture farm and the road margins.

7.12 There shall be a minimum distance of 3 meters between the fresh water aquaculture farm and neighboring agricultural lands.

7.13 Salinization of lands and drinking water table, etc. should be avoided by providing suitable buffer zones between agricultural lands, villages and aquaculture farms.

7.14 To prevent the aquaculture farm from causing seepage problems to neighboring agricultural lands, the owner or lessee of the aquaculture farm should construct and maintain a seepage channel between the fresh water aquaculture farm and the neighboring agricultural lands. Such a seepage channel can be created in the prescribed 3 meter gap between the farm and the neighboring agricultural lands.

7.15 To prevent groundwater depletion, no fresh water aquaculture farm shall be permitted to use water drawn from bore wells except for supplementing the losses from evaporation, seepage, etc.

P.T.O

7.16 Direct pumping of water from canals, rivers and reservoirs is not allowed. Indirect and harmless methods may be used.

7.17 The fresh water aquaculture farms shall follow the requirements of the Andhra Pradesh Water, Land and Trees Act, 2002, the Andhra Pradesh Water Tax Act, 1988, Water (Prevention & Control of Pollution) Act, 1974, the Wetlands Conservation Rules, etc. to prevent contamination or pollution of drinking water aquifers, etc. by seepage, percolation or otherwise.

7.18 The water spread area of a fresh water aquaculture farm shall not exceed 80 percent of the total area of the farm.

7.19 The farm shall ensure that the effluent quality at discharge point conforms to the specific standards prescribed by the Andhra Pradesh Pollution Control Board. The discharge of affluent shall meet the Surface Irrigation Standards as there is every possibility of using the same waste water let out into the drain for irrigation purpose in the downstream.

7.20 All laws to protect the environment and ecology such as the Andhra Pradesh Water, Land and Trees Act, 2002, The Water (Prevention & Control of Pollution) Act, the Environment (Protection) Act, 1986, Wetlands Conservation Rules, etc. shall be followed.

7.21 The certificate of registration issued by the District Level Committee is to be exhibited in the premises of the farm and produced for checking whenever demanded by an Inspecting Officer.

7.22 The certificate of registration is transferable within the term of registration, if the land/ part of the Land sold/ inherited to another/ leased to another, if the buyer/ lessee is interested in aquaculture he shall apply to the District Fisheries Officers (DFO) concerned for transfer of registration with relevant documents and the District Fisheries Officers (DFO) should inspect the farm and by certifying that the farmer has not changed the layout, design, contour then he can transfer the registration, which is within the term of registration on payment of requisite fee. In case of leased lands, if the lease expires during the term of registration, the registration shall lapse. Lapse of registration can be avoided only by extension of lease.

7.23 During the period of registration:- a) When once the registration is issued the farmer need not take any permission from the Revenue or any other authorities for taking up repairs of his culture pond.

b) If the Farmer has made any major changes to his registered farm or any addition of culture area to the existing registered farm area shall be treated as a new pond and the farmer has to apply afresh for the registration for the major changes or new area separately. However, reduction of culture area of capacity does not need any separate approval.

7.24 Environmental friendly and sustainable aquaculture management practices should be adopted.

7.25 All indigenous cultivable species, unless prohibited by the Government can be cultured. Exotic species can be cultured only after obtaining relevant permissions from Competent Authorities.

7.26 The stocking densities for all species of aquaculture shall be in accordance with the norms indicated by the Government from to time.

Contd..,

7.27 Antibiotics and other pharmacologically active substances which are banned by Government of India and published in Gazette Notifications from time to time shall not be used for aquaculture.

7.28. Record of inputs used in the farm like seed, feed, chemicals, pro-biotics, medicines, etc, and harvest details, production details, name and address of the buyer of produce, etc. should be maintained and reported to the DFO's concerned immediately after harvest

7.29 Objections of the neighboring agriculture lands/ adjacent land holders shall be called for by publishing a notice of 15 days in the Notice Board of the concerned Gram Panchayat Office and at statutory places like the District Fisheries Officer and then any objections received will be considered and disposed off by the District Level Committee before registration.

7.30 Any complaints received by the District Collector or the District Level Committee members regarding violations of the guidelines issued in this order shall be enquired into and disposed off by the District Level Committee subject to the control of the District Collector from time to time as per the procedure prescribed in the annexed guidelines.

7.31 A web based software application shall be developed for processing the applications for registration of aquaculture farms and the entire process shall be transacted online in future. A suitable database shall be maintained for this purpose. The responsibility for this activity shall vest with the Office of the Commissioner of Fisheries.

7.32 In future while applying for permission the applicant should submit digital photo of proposed area for digging tank with geo- tagging for future reference and record in electronic form.

5. This order covers both aquaculture farms and hatcheries and wherever the word 'farm' or 'pond' used the same shall apply to hatcheries also.

6.. G.O. Ms. No. 7 AH, DD & Fisheries (Fish- II) Dept., and Dated: 16.03.2013 and Amendments shall be followed strictly in true spirit without any interpolation and extrapolation and no extra levels & layers shall be added.

7. Any disputes under this G.O appeals shall be made to the Commissioner of Fisheries, Government of Andhra Pradesh.

8. If any disputes arises in the implementation of the G.O in the District level, it has to be resolved under the Chairmanship of Dt. Collector and the DLC Member (Aqua farmer) & Member Convener (District Fisheries Officer)

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Commissioner of Fisheries, A.P. Hyderabad.
All District Collectors/District Fisheries Officers
through Commissioner of Fisheries.

Copy to:

The PS to Minister(AHDD F & VU).
The Environment, Forests, Science & Technology Department.
The Irrigation and Command Area Development Department.
The Finance Department.
The Law Department.

SF/SC.

// FORWARDED::BY ORDER //

SECTION OFFICER

Guidelines

A. REGISTRATION

(1) Fresh water aquaculture activities can be carried on only after registration by the District Level Committee.

(2) Fully or partly excavated / constructed aquaculture ponds and installations, whether or not carrying out aquaculture operations, whether abandoned or active, which are existing on or before the date on which this Government Order is issued are considered to be 'existing' aquaculture farms. 'New' aquaculture farms are those which are not 'existing' aquaculture farms.

(3) All existing unregistered aquaculture farms which have not applied for regularization so far shall apply to the concerned District Level Committee (DLC), through the District Fisheries Officer on or before 31.03.2016. Application shall be made in the prescribed form (Annexure-II) and the applicant shall pay a processing fee of Rs.200/- per acre and penalty of Rs.500/- per acre (if applicable).

(4) All the persons who wish to start new/fresh water aquaculture farms shall apply to the District Level Committee through the District Fisheries Officer (DFO) and pay a processing fee of Rs.200/- per acre. For setting up of new aquaculture farms the approval will be in two stages.

A) Provisional Registration order: - All applications received by the DFO will be scrutinized as per the guidelines issued in this order and referred to respective members of DLC for inspection and recommendations. Then the DFO will consolidate all the recommendations of concerned members and place before the DLC for issue of provisional registration. After approval by the DLC a provisional registration will be given whereupon the activity of excavation /construction /installation is permitted to be started.

B) Final Registration order:- After completion of excavation/construction /installation the applicant shall apply again to DFO for final registration. The DFO will refer it to the respective DLC Members. Then the DLC Members shall check documents and inspect in order to ensure the compliance to the procedure prescribed in the guidelines issued in this order. Then the DFO will consolidate all the recommendations of concerned members and place before the DLC for issue of the final registration and it has to be issued within one month from the date of receipt of application for final registration.

(5) The District Fisheries Officer of the concerned District shall receive the applications from the existing unregistered fresh water aquaculture farms and scrutinize the applications with reference to the guidelines and place them before the District Level Committee (DLC). The District Level Committee after considering all aspects and arranging for inspections if needed shall place the applications before the District Collector & Chairman, District Level Committee, along with its recommendations for rejection or modification or approval, stating the reasons for approval or modification or rejection. The Chairman, District Level Committee, may approve them or order modifications or reject them stating the reasons for approval or modification or rejection.

In respect of modifications ordered, the Instructions relating to modifications in Para 4 above shall be followed.

(6) Those existing fresh water aquaculture farms which have already been registered need not apply for registration again. However, they have to file a Compliance Form (Annexure IV) with the District Fisheries Officer. The District Fisheries Officer will organize a compliance check by the District Level Committee after which in some cases the District Collector will issue a Modification Order (Annexure VI) directing that some modifications are to be carried out within specific time limits falling which his registration is liable to be cancelled.

In case the DLC finds that the farm has already complied with all the requirements the DLC will report to the Collector and the Collector issues a Compliance Note and the existing registration certificate continues to be valid and no fresh registration certificate needs to be given to the farm.

(7) The DLC may arrange for inspections by dividing themselves into individuals or teams and by distributing the workload or by deploying other or additional Officers from the District or from other Districts and Offices as a special drive as organized by the District Collector. This is especially desirable in districts with large incidence of fresh water aquaculture like West Godavari District and Krishna District.

(8) After the approval of the Collector & Chairman, District Level Committee, the certificates of registration will be issued in the prescribed form (Annexure-VII annexed to this GO) to the existing or new farms after which aquaculture activities can be commenced and carried on.

(9) The registration issued by the DLC

- (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 subject to the conditions mentioned therein.

(10) The applications which are not in accordance with the guidelines issued in this order shall be rejected by the District Level Committee.

(11) The applications which are already pending before the issue of this order will also be dealt with in accordance with this order.

(12) The District Collector may organize periodic inspections of fresh water aquaculture farms to protect the ecology, environment and the livelihood of various sections of people. He may also organize inspections *suo motu* whenever he feels that they are required and also in the context of a complaint at his option.

B. RENEWAL ~~DELETED~~

(No renewal of licenses -1,2,3,4 deleted, The DFO will issue permanent Licenses instead of old licenses ISSUED TO FARMERES PREVIOUSLY)

C. FEES:

(1) As the provisions of the Andhra Pradesh Agriculture Land (Conversion for Non-Agricultural Purposes) Act, 2006, are not applicable to the lands used for Aquaculture as per section 7 (f) of the said Act, there is no need to apply for conversion of land use and therefore there is no need to pay Conversion Fee under the said Act by the Aqua farmers.

(2) The applicant shall pay a processing fee of Rs.200 per acre for regularization of existing unregistered fresh water aquaculture farms or for registration of new fresh water aquaculture farms.

(3) For all existing unregistered fresh water aquaculture farms, the applicant has to pay a penalty of Rs.500 per acre in addition to the processing fee of Rs.200 per acre for regularization of existing unregistered fresh water aquaculture farms.

(4 - RENEWAL FEES DELETED)

(5) The amount shall be remitted to the concerned District Fisheries Officer by Demand Draft.

(6) The amount collected towards processing fee and penalty may be utilized by the District Fisheries Officer with the permission of the District Collector / chairman, DLC or the Commissioner of Fisheries for the following purposes:

- a) On visits or inspections of fresh water aquaculture farms in connection with registration, monitoring, studies etc. and matters connected therewith

- b) Meeting the expenditure for the Departmental Officers and farmers to attend workshops, awareness camps, exposure visits, trainings, exhibitions on aquaculture, etc.
- c) to sponsor events related to aquaculture which will improve the technical knowledge and skills of the farmers.
- d) Organizing meetings, awareness programs, etc.
- e) Collection, testing of samples and analysis at designated laboratories
- f) Printing of extension material on fresh water aquaculture
- g) Publicity and awareness through print and electronic media
- h) Demolitions, closure of ponds and other functions to be carried out by or under the orders of the District Collector / Chairman, DLC or the Commissioner of Fisheries
- i) Any other activity relevant to the field as directed by the District collector or the Commissioner of Fisheries

J) For expenditure on IT solutions & systems including creation and maintenance of Website/Portal, Software costs, hardware costs. Communication expenses, manpower costs, Disease surveillance, equipping the Lab facilities and Web site market intelligence.

D. DELAYS

Delays by the Revenue Department for verification of land title or land lease shall not exceed 15 days. The applicant may appeal to the District Collector if the Revenue Department does not take action within 15 days and appeal to the Commissioner of Fisheries if the delay is more than 30 days. The overall processing time of the DLC shall be less than three months from the date of application. The District Collector shall initiate disciplinary action against the Officers who are responsible for delay in disposing of the applications for regularization, registration or renewal beyond three months from the date of application.

E. VIOLATIONS

(1) The District Collector has the right to cancel the registration, if any registered fresh water aquaculture farmer violates the conditions of registration, fails to carry out modifications ordered within the specified time limits and/or violates the rules laid down in this Government Order and / or the Government Orders issued from time to time in this regard.

(2) Any fresh water aquaculture farm (existing or new), which is found to be operational after three months from the date on which this Government Order is issued without having applied for registration or renewal will be levied with a penalty of Rs 5,000/- per acre by the District Collector and its operations shall be closed forthwith by the District Collector. The penalty amount of Rs 5,000/- per acre shall be remitted by Demand Draft to the concerned District Fisheries Officer within 10 days.

(3) The District Collector shall take action to demolish the farm:

- (a) in case the owner/lessee does not apply or refuses to apply for registration even after the District Collector levies penalty and closes operations under para 2 above;
- (b) in case the farm continues to operate illegally even after the District Collector levies penalty and orders for closure of operations under para 2 above;
- (c) in case the farm operates illegally without carrying out modifications as ordered;
- d) The District Collector will recover the costs of closure/ demolition from the Owner under the Andhra Pradesh Revenue Recovery Act.

e) Any fresh water Aquaculture Farm which is found to be operational after 31.03.2016, without having applied for registration will be levied with a penalty of Rs.300/- per acre for next three months from 31.03.2016 i.e. Up to 30.06.2016 (3 months buffer period for un-registered farms). Any freshwater Aquaculture Farm which is found to be operational even after the extended period ,i.e., after 30.06.2016 without having applied for registration will be levied with a penalty of Rs.5000/- per acre by the District Collector and its operations shall be closed forthwith by the District Collector.

(4) In respect of the applications of the existing fresh water aquaculture farms which have been processed by the DLC in accordance with this order and then rejected, action will be taken by the District Collector to close their operations and demolish the farms and recover the costs of closure/ demolition from the owner under the Revenue Recovery Act.

(5) In respect of the applications of the new fresh water aquaculture farms which have been processed by the DLC in accordance with this order and then rejected, action will be taken by the District Collector to stop excavation/ construction/ installation or to demolish as is required in the case and recover the costs of closure/ demolition from the owner under the Andhra Pradesh Revenue Recovery Act.

(6) In respect of Compliance Forms filed by the existing and registered fresh water aquaculture farms which have been rejected by the District Collector after processing as per this order and farms which have not carried out modifications ordered within the specified time limit, action will be taken by the District Collector to cancel their registration, close their operations and demolish the farms and recover the costs of closure/demolition from the owner under the Andhra Pradesh Revenue Recovery Act.

(7) During the pendency of the application for registration of a new fresh water aquaculture farm if it is found that the farm has started excavation / construction/ installation before receiving provisional registration or that the farm has commenced operations before receiving final registration, the District Collector shall take action to close operations and / or demolish the farm.

Such closed or demolished farms can however apply for permission afresh as new units.

The workmen employed in the fresh water aquaculture farms which are closed or demolished in terms of this order shall be paid compensation by the owner as per the Government rules in force. Any additional compensation may also be arranged as applicable or feasible or as deemed fit by the District Collector to be paid by the owner of the farm.

Aquaculture farms who have applied for permission and whose applications are pending shall not be closed or demolished.

F. POWERS OF THE COMMISSIONER OF FISHERIES

The Commissioner of Fisheries has the power to review the performance of the Collector & Chairman, DLC, to prevent delays by complying to desirable time lines and to ensure compliance to this order. He can call for records, inspect or depute Officers to examine records and inspect relevant places and intervene in the process at any stage suo motu or in response to a complaint, at his option. He has the power to order the cancellation of registrations, imposition of penalties, the closure of operations and demolitions in accordance with this order.

MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY ORDER //

SECTION OFFICER

ANNEXURE II to GO Ms No.-----

APPLICATION FORMS

FORM - A

Application for Registration of Existing Fresh Water Aquaculture Farm

DATE OF APPLICATION:

APPLICATION NO: (to be given by the DFO Office)

(1)	Name of the applicant/registered Company/ Establishment in BLOCK LETTERS with permanent address)	
(2)	Address for communication (In BLOCK LETTERS)	
(3)	Details of land for which registration is applied for	
	a) District b) Mandal c) Revenue village d) Survey No e) Ownership right Ownership right <i>(whether own or leased, if leased specify the period of lease from date to date)f) Total farm area</i> g) Water spread area	
(4)	Boundaries of the farm(North, South, East, West)	
(5)	Category of the land	
	a) Waste land b) Prone to inundation c) Low lying area d) Water logged area e) Agricultural land	
(6)	Water source for the aquaculture farm a) Irrigation canal b) Irrigation drain c) other source (except bore well)	
(7)	Date of commencement of farm	
(8)	Usage of bore water to supplement the evaporation a) Permission under the Andhra Pradesh WALTA Act. 2002.	

	<ul style="list-style-type: none"> b) Depth of bore well c) Diameter of the bore well d) Yield/hour e) Capacity of the Motor 	
(9)	Whether seepage channel is provided.	
(10)	Distance from the <ul style="list-style-type: none"> a) agricultural lands (in north, south, east and west directions) b) village/ hamlet c) drinking water source d) places of worship e) burial ground f) road margin 	
(11)	Culture aspects <ul style="list-style-type: none"> a) species of fish /prawn b) type of culture c) stocking densities d) feeding pattern e) duration of crop f) No of crops 	Mention species
(12)	Processing fee details	
(13)	Other details, if any	

Declaration by the Applicant

I/WeSon/ Daughter /Wife ofresiding at hereby declare that the information furnished above is true to the best of my/our and behalf . I/We are fully aware that if it is found that the information furnished in the application is false or there is any deviation /violation of the conditions of registration or the guidelines or rules stipulated in the G.O.Ms.No. or of the relevant Government Orders issued by Government from time to time, action as deemed fit may be taken against me/us.

SIGNATURE

Check List**(To be attached to the Application)**

- (1) Copy of the land title deed in the name of the applicant (s) is attached.

OR

(in case of leased land) the lease deed is enclosed.

- (2) If bore water is used for supplementing the evaporation losses of water in the aqua farm , a copy of the permission letter from the competent authority under the Andhra Pradesh WALTA Act, 2002 is enclosed.
- (3) Layout plan of the aqua farm along with details mentioned in the application form at Column No.5 & 11 is enclosed.
- (4) Demand Draft towards processing fee in favour of District Fisheries Officer is enclosed.

MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY ORDER //

SECTION OFFICER

FORM - B

**Application for Registration of New Fresh Water Aquaculture Farm
(Provisional)**

DATE OF APPLICATION:

APPLICATION NO: (to be given by the DFO Office)

(1)	Name of the applicant/registered Company/ Establishment in BLOCK LETTERS with permanent address)	
(2)	Address for communication (in BLOCK LETTERS)	
(3)	Details of land for which registration is applied for	
	(a)District (b)Mandal (c) Revenue village (d)Survey No (e)Ownership right Ownership right (whether own or leased, if leased specify the period of lease from date to date) (f)Total farm area (g)Water spread area	
(4)	Boundaries of the farm(North, South, East, West)	
(5)	Category of the land	
	a)Waste land b)Low productive agricultural land c)Prone to inundation d)Low lying area e)Water logged area f)Agricultural land	
(6)	source for the aquaculture farm Water	
	a) Irrigation canal b) drain c) other source (except bore well)	
(7)	Distance from the	
	a)agricultural lands (in north, south, east and west directions) b)village/ hamlet c) drinking water source d)places of worship e)burial ground f)road margin	
(8)	Processing fee details	
(9)	Other details, if any	

Declaration by the Applicant

I/WeSon / Daughter /Wife of residing athereby declare that the information furnished above is true to the best of my/our and behalf . I/We are fully aware that if it is found that the information furnished in the application is false or there is any deviation /violation of the conditions of registration or the guidelines or rules stipulated in the G.O.Ms. No. or of the relevant Government Orders issued by Government from time to time, action as deemed fit may be taken against me/us.

SIGNATURE**Check List****(To be attached to the Application)**

1. Copy of the land title deed in the name of the applicant (s) is attached.

OR

(in case of leased land) the lease deed is enclosed.

2. Layout plan of the aqua farm along with details mentioned in the application form at column No.4&7 is enclosed.
3. Demand Draft towards processing fee in favor of District Fisheries Officer is enclosed.

MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY ORDER //

SECTION OFFICER

FORM - C

Application for Registration of New Fresh Water Aquaculture Farm (Final)

DATE OF APPLICATION:

APPLICATION NO: (to be given by the DFO Office)

(1)	Name of the applicant/registered Company/ Establishment in BLOCK LETTERS with permanent address)	
(2)	Address for communication (in BLOCK LETTERS)	
(3)	Details of land for which registration is applied for	
	a) District b) Mandal c) Revenue village d) Survey No e) Ownership right (whether free hold or leasehold, if leasehold specify the period of lease- from date to date) f) Total farm area g) Water spread area	
(4)	Boundaries of the farm(North, South, East, West)	
(5)	Usage of bore water to supplement the evaporation a) Permission under the Andhra Pradesh WALTA Act. 2002 b) Depth of bore well c) Diameter of the bore well d) Yield/hour e) Capacity of the motor	
(6)	Whether seepage channel is provided.	
(7)	Culture aspects Mention the names of permitted species (for information only) a) species of fish /prawn b) type of culture c) stocking densities d) feeding pattern e) duration of crop f) No of crops.	
(8)	Processing fee details	
(9)	Other details, if any	

Declaration by the Applicant

I/WeSon/ Daughter /Wife of
.....residing athereby
declare that the information furnished above is true to the best of my/our and
behalf , I/We are fully aware that if it is found that the information furnished in the
application is false or there is any deviation /violation of the conditions of registration
or the guidelines or rules stipulated in the G.O.Ms. No. or of the relevant
Government Orders issued by Government from time to time, action as deemed fit
may be taken against me/us.

SIGNATURE

Check List

(To be attached to the Application)

1. If bore water is used for supplementing the evaporation losses of water in the aqua farm , a copy of the permission letter from the competent authority under WALTA Act, 2002 is enclosed
2. Layout plan of the aqua farm along with details mentioned in the application form at column No.6 is enclosed

MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY ORDER //

SECTION OFFICER

ANNEXURE III to GO Ms No.-----**ACKNOWLEDGEMENT**

Received Application No....., for registration of existing/ new fresh water aquaculture farm of Sri (Name)....., (Address).....

OR

Received Compliance Form No....., for compliance check of existing fresh water aquaculture farm of Sri (Name)....., (Address).....

SIGNATURE:

DATE:

MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY ORDER //

SECTION OFFICER

ANNEXURE IV to GO Ms No.-----

COMPLIANCE FORM

DATE OF FILING:

COMPLIANCE FORM NO: (to be given by the DFO Office)

(1)	Name of the owner/ lessee/ registered Company/ Establishment of the registered farm (In BLOCK LETTERS with permanent address)	
(2)	Address for communication (in BLOCK LETTERS)	
	Registration No.	
(3)	Details of land for which compliance is to be checked	
	a) District b) Mandal c) Revenue village d) Survey No e) Ownership right (whether own or lease hold) d) if, leasehold specify the period of lease (from date to date) g) Total farm area h) Water spread area	
(4)	Boundaries of the farm(North, South, East, West)	
(5)	Category of the land	
	f) Waste land g) Low productive agricultural land h) Prone to inundation i) Low lying area j) Water logged area k) Agricultural land	
(6)	Water source for the aquaculture farm e) Irrigation canal f) Irrigation drain g) other source (except bore well)	
(7)	Date of commencement of farm	
(8)	Usage of bore water to supplement the evaporation a) Permission under the Andhra Pradesh WALTA Act. 2002 b) Depth of bore well c) Diameter of the bore well d) Yield/hour e) Capacity of the motor	
(9)	Whether seepage channel is provided	
(10)	Distance from the	

	a) agricultural lands (in north, south, east and west directions) b) village/ hamlet c) drinking water source d) places of worship e) burial ground f) road margin	
(11)	Culture aspects a) species of fish /prawn b) type of culture c) stocking densities d) feeding pattern f) duration of crop g) No of crops	
(12)	Processing fee details	
(13)	Other details, if any	
(14)	Record of inputs used in the farm like seed, feed, chemicals, probiotics, medicines, etc. and harvest details, production details, name and address of the buyer of produce, etc. should be maintained and reported to the District Fisheries Officers (DFO) concerned immediately after harvest.	

I declare that the status of compliance to the requirements in my farm are as follows-

	Requirement	Complied	Not complied
(1)	Fertile agricultural land is not being used		
(2)	The land being used as farm does not have- mangroves, wetlands, forest lands, casuarina plantations, salt pan lands, grazing grounds for cattle, lands meant for public purposes, ecologically sensitive areas like national parks, sanctuaries, marine parks, etc.		
(3)	The farm does not obstruct natural drainage canals/ flood drains, creeks, etc.		
(4)	There is more than 10 metres distance from the farm to the- <ul style="list-style-type: none"> - Nearest village(s)/ hamlet(s) - Nearest drinking water source - Burial ground - Places of worship 		
(5)	There is more than 3 metres distance from the farm to the- Neighbouring agricultural lands /Road margins		

(6)	Banned antibiotics and pharmacological substances are not being used		
(7)	Record of inputs being used (seed, feed, medicines, etc.) is maintained		
(8)	Permitted species of approved stocking densities are being cultured		
(9)	Bore water is not being used except to supplement the losses from evaporation, seepage, etc.		
(10)	The water spread area is not more than 80% of the total area of the farm		
(11)	The farm has a facility to treat effluents to required standards before discharge as waste water		

SIGNATURE:

DATE:

MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY ORDER //

SECTION OFFICER

ANNEXURE V to GO Ms No.-----**COMPLIANCE NOTE**

The compliance status of the farm with Registration No..... belonging to Sri (Name)....., (Address)....., is verified and it is found that the following requirements are complied with-

	Requirement
(1)	Fertile agricultural land is not being used
(2)	The land being used as farm does not have- mangroves, wetlands, forest lands, casuarina plantations, salt pan lands, grazing grounds for cattle, lands meant for public purposes, ecologically sensitive areas like national parks, sanctuaries, marine parks, etc.
(3)	The farm does not obstruct natural drainage canals/ flood drains, creeks, etc.
(4)	There is more than 10 metres distance from the farm to the- <ul style="list-style-type: none"> - Nearest village(s)/ hamlet(s) - Nearest drinking water source - Burial ground - Places of worship
(5)	There is more than 3 metres distance from the farm to the- <ul style="list-style-type: none"> - Neighbouring agricultural lands - Road margins
(6)	Banned antibiotics and pharmacological substances are not being used
(7)	Record of inputs being used (seed, feed, medicines, etc.) is maintained
(8)	Permitted species of approved stocking densities are being cultured
(9)	Bore water is not being used except to supplement the losses from evaporation, seepage, etc.
(10)	The water spread area is not more than 80% of the total area of the farm
(11)	The farm has a facility to treat effluents to required standards before discharge as waste water

Since the farm has already complied with all the requirements the existing registration certificate continues to be valid for its term and no fresh registration certificate needs to be given to the farm.

DATE:

SIGNATURE: (District Collector)

MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY ORDER //

SECTION OFFICER

ANNEXURE VI to GO Ms No.-----**MODIFICATION ORDERS**

The compliance status of the farm with Registration No..... belonging to Sri (Name)....., (Address)....., is verified and it is hereby ordered that the following modifications relating to the farm shall be carried out within the specified time limits failing which the registration is liable to be cancelled.

Sl. No	Modification	Time Limit
1	2	3
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		

SIGNATURE: (District Collector)

DATE:

MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY ORDER //

SECTION OFFICER

ANNEXURE VII to GO Ms No.-----

CERTIFICATE OF REGISTRATION OF FRESHWATER AQUACULTURE FARM

Vide G.O Ms No.....

Registration No:

Date:

The fresh water aquaculture farm of Shri/ Smt/M/s Son/
Daughter/Wife of residing atis registered by
the Fisheries Department for a period of 5 years with effect from to
.....

DETAILS OF THE UNIT AND TECHNOLOGY TO BE FOLLOWED

- 1. Location of the Farm**
 - District
 - Mandal
 - Revenue Village
- 2. Survey No.**
- 3. Area of the land**
- 4. Total farm area**
- 5. Total water spread area**
- 6. Species to be cultured**
- 7. Stocking density**
- 8. No of crops per year**

Place

Signature of the authorized officer

Date

(Seal of the Authority)

MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY ORDER //

SECTION OFFICER

CONDITIONS FOR THE FOR REGISTRATION OF FRESH WATER AQUACULTURE FARM

1. This certificate of registration is granted subject to the guidelines and rules stipulated in the G.O. Ms. No.7 dt.16.3.2013 and as per relevant Government orders issued by the Government from time to time. The District Collector/ Commissioner of Fisheries may cancel the certificate of registration in case of violation of the guidelines or rules as stipulated in the G.O. Ms. No.7 or relevant Government Orders issued by the Government from time to time or the instructions/ conditions which are issued from time to time by the District Collector/ Commissioner of Fisheries. The owner of the fresh water aquaculture farm shall comply with such instructions/ conditions as may be issued from time to time.

2. This certificate of registration is transferable within the term of registration, if the land sold to another/leased to another, if the buyer/ lessee is interested in aquaculture he shall apply to the District Fisheries Officer (DFO) concerned for transfer of registration and the District Fisheries Officer (DFO) shall inspect the farm and certify that the farmer has not changed in the layout, design, contour then the District Fisheries Officer (DFO) can transfer the registration which is within the term of registration on payment of requisite fee.

3. The certificate of registration issued by the DLC is to be exhibited in the premises of the farm and produced for checking whenever demanded by an inspecting officer.

4. Environmental friendly and sustainable aquaculture management practices should be adopted.

5. Antibiotics and other pharmacologically active substances which are banned by GOI and published in Gazette Notifications from time to time shall not be used for aquaculture.

6. During the period of registration:-

a) When once the registration is issued, the farmer need not take any permission from the Revenue or any other authorities for taking up repairs of his culture pond.

b) If the Farmer has made any major changes to his registered farm or any addition of culture area to the existing registered farm area shall be treated as a new pond and the farmer has to apply afresh for the registration for the major changes or new area separately. However, reduction of culture area or capacity does not need any separate approval.

MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED::BY ORDER //

SECTION OFFICER

మత్స్యశాఖ సంయుక్త సంచాలకులు వారి కార్యాలయము,
తూర్పుగోదావరి జిల్లా, కాకినాడ.

నోటీస్ నెం.: 6689/ఎ6/2016, తేది. -04-2018

ఇందుమూలంగా మీకు తెలియజేయునది ఏమనగా, మీకు కడలి గ్రామంలో 580, 580/A2/, 581, 569, 583, 586, 582 సర్వే నెంబర్లు తో త్రవ్వబడిన చేపల చెరువులలో కేపలం మంచి నీటి చేపలు కల్చర్ చేయుటకు ఫైనల్ పర్మిషన్ ది. 13.11.2018 ద్వారా ఇవ్వబడినది.

కానీ మీ యొక్క చెరువులను ది. 24.04.2019 న పరిశీలించిన పిదప చెరువులలో నిబంధనలకు విరుద్ధంగా వెనమీ రొయ్యలు చేపలతో కలిపి సాగు చేయుచున్నట్లు తెలియవచ్చినది.

కావున ఈ నోటీసు అందిన 7 రోజులలోగా వెనమీ రొయ్యల కల్చర్ నిలుపుదల చేయవలసినగా తెలియజేయడమైనది.

లేని యెడల మీ యొక్క చెరువులను ధ్వంసం చేసి, కల్చర్ నిలుపుదల చేసి దానికి అయిన ఖర్చులను రెవెన్యూ రికవరీ చట్టం ద్వారా మీ వద్ద నుండి వసూలు చేయబడునని తెలియజేయడమైనది.

మత్స్యశాఖ సంయుక్త చాలకులు (పూ.అ.బా),
తూర్పుగోదావరి జిల్లా, కాకినాడ.

టు:

శ్రీ రుద్ర రాజు రాజేష్ వర్మ మరియు పి. చినవెంకటరాజు, పొన్నమండ గ్రామం, రాజోలు మండలం (మత్స్యశాఖ సహాయ సంచాలకులు, రాజోలు ద్వారా),
మత్స్యశాఖ సహాయ సంచాలకులు, రాజోలు వారికి తగు సత్వర చర్య నిమిత్తం.

DESPATCHED

25- APR 2019

Handed over to ADF R22 on 25/4/2019



35

ANDHRA PRADESH POLLUTION CONTROL BOARD
ZONAL OFFICE :: VISAKHAPATNAM
39-33-20/4/1, Madhavadhara Vuda Colony, Visakhapatnam - 530018.

Ph : 0891-2719380

Lr.No.2419/PCB/ZO-VSP/NGT./2019- 116

Date: 21.05.2019

To
The Chairperson, District Level Committee on Fresh Aqua Culture,
& the Collector and District Magistrate,
East Godavari District.
Kakinada,
Andhra Pradesh.

Sir,

Sub: APPCB - ZO, VSP – Orders of the Hon'ble National Green Tribunal New Delhi Order dated: 15.01.2019 in O.A. No. 23 of 2019 – Constitution of joint committee by APPCB for inspection of aqua culture ponds in Kadali Village, Razole Mandal, East Godavari District – Report of the committee submitted – Action requested – Reg.

- Ref:**
1. Orders of the Hon'ble National Green Tribunal New Delhi Order dated: 15.01.2019 in O.A. No. 23 of 2019.
 2. Lr.No.2419/APPCB/ZO-VSP/NGT/2019-104, Date: 01.05.2019.
 3. Inspection report of the Joint Committee dated: 18.05.2019.
 4. GOMs. No. 7 of Animal Husbandry, Dairy Development & Fishers Department dated: 16.03.2013.

The Hon'ble National Green Tribunal considered the allegation in the letter, which has been treated as an application and is that the paddy fields in survey nos. 569, 582, 583 at Kadali Area, Razole Mandal, East Godavari District, Andhra Pradesh are being converted to prawn culturing ponds to the extent of 30 acres. This is creating groundwater and other pollution as no precautionary steps are taken. Health of children and other inhabitants is affected.

The Hon'ble NGT, New Delhi vide order dated: 15.01.2019 in O. A. No. 23 of 2019 directed Andhra Pradesh State Pollution Control Board (APSPCB) to look into the matter and take appropriate action in accordance with law within one month and furnish a factual and action taken report.

A.P. Pollution Control Board vide order dated: 01.05.2019 constituted the following four member joint committee to inspect the fish / prawn ponds located in survey nos. 569, 582 & 583 at Kadali Area, Razole Mandal, East Godavari District and to submit a report of factual aspects in the above matter:

1. The Senior Environmental Engineer, APPCB, Zonal Office, Visakhapatnam.
2. The Environmental Engineer, APPCB, Regional Office, Kakinada.
3. The Assistant Director, Fisheries Department, Razole, East Godavari District.
4. The Tahsildar, Razole, East Godavari District

Accordingly, the committee consisting of the following members inspected the fish / prawn ponds located in survey nos. 569, 582 & 583 at Kadali Area, Razole Mandal, East Godavari District and the surrounding agricultural lands on 08.05.2019:

1. The Senior Environmental Engineer, APPCB, Zonal Office, Visakhapatnam.
2. The Environmental Engineer, APPCB, Regional Office, Kakinada.
3. The Assistant Director, Fisheries Department, Razole, East Godavari District.
4. The Deputy Tahsildar, Razole, East Godavari District.

The joint committee submitted the following remarks and recommendations:

Remarks:

1. Sri Rudra Raju Rajesh Varma(Extent: 2.4 acres, 5.0 acres, 1.0 acre & 4.0 acres Totaling: 12.4 acres) & Sri Penmetsa China Venkata Raju(Extent: 19.49 acres)have obtained provisional registration of fresh water aqua culture ponds vide orders dated: 26.01.2017, 31.12.2016, 31.12.2016, 28.01.2017 and 14.12.2015 respectively. They also obtained certificate of registration for fresh water aquaculture vide order dated: 16.11.2018 for all the ponds.
2. These ponds are existing in the midst of agricultural lands where the regular crop is paddy which is cultivated 2 or 3 times in an year depending on the availability of water for cultivation. The ponds are bounded by

North :	Earthen Road followed by Kadali drain.
South :	Paddy fields
East :	Paddy fields
West :	Paddy fields
3. As per the certificate of registration the ponds are permitted to carry out only fresh water aquaculture with zero salinity. However, the aquaculture being taken up in all the 13 ponds is saline aquaculture, as noted from the salinity levels of the water stocked in each of the 13 ponds.
4. The Joint Director, Fisheries Department, Kakinada issued notice dated: 25.04.2019 recording the saline aquaculture being taken up in the ponds and directed immediate harvesting of the culture in all the 13 ponds and the same is in progress.
5. Most of the water logging in the agricultural fields in the area is due to entry of water from the Kadali drain into minor agricultural drains which are provided for evacuation of excess irrigation water from the agricultural lands. This is a regular/daily phenomenon happening due to raise in water levels in the Kadali drain due to tidal action i.e., raise in the level due to high tide and recede during low tide.
6. Entire boundary of the fish/prawn pond area is bunded with 7 to 8 feet height earthen bunds followed by a seepage trench/drain to collect the seepage water generated due to the stocking of water in the ponds for aquaculture. The seepage collected in this trench is supposed to be discharged into Kadali drain. As submitted earlier the bund of the seepage trench existing towards the agriculture lands is of varying height from 0.2 mts to 0.5 mts. Due to the high tide action and raise in water level in the Kadali drain, there is back flow of water from Kadali drain into the seepage trench and this water along with the seepage collected in the seepage trench is over flowing into the abutting agricultural fields at points where the bund is of low height and weak. However, this water at these places finding way into agricultural lands is not getting cleared easily during the recede of the water level in Kadali drain due to low tide creating a continuous water logged situation at these places which is likely to impact the agriculture yields in these fields.
7. The analysis reports of the samples collected during inspection indicate slightly higher BOD levels in the pond and pond discharges than that in the Kadali drain. All the samples have the salinity levels between 2.5 to 3.7 PSU which are in the similar range of the salinity levels of the water stocked in various ponds. The salinity levels and the BOD level in the Kadali drain is 3.7 PSU & 7.2 mg/ltr respectively. The quality of water stagnated in the fields abutting the ponds and the water stagnated in the seepage trench is almost similar to that of the quality of water in the Kadali drain indicating the back flow of water into the agricultural fields through irrigation drains and also the seepage trench.
8. As submitted at 7 above, there is only slight variation in the quality of water in the seepage trench, stagnated water in the fields abutting the ponds and the Kadali drain. The impact of the seepage from the aqua ponds on the agricultural fields could not be assessed as the aqua culture has started only in the month of January-2019 and as it is the first crop. Continuing aqua culture with seepage trench/drain with weak bunds would have adverse impact on the agricultural fields abutting the aqua ponds due to

flow of seepage water into the agriculture fields and creating continuous water logging situation.

9. The notice dated: 25.04.2019 issued by the Joint Director of Fisheries Department, the presence of considerable level of salinity recorded during the current inspection establishes the gross violation of the permission issued for fresh water aqua culture with zero salinity.

Recommendation:

In view of the remarks mentioned 8 & 9 above, the Chairman, District Level Committee on aqua culture, East Godavari District may be requested to take immediate action on the fish/prawn ponds 569, 582 & 583 at Kadali Area, Razole Mandal, East Godavari District for which the DLC, East Godavari District has accorded permission vide order dated: 16.11.2018.

The inspection report of the Committee is herewith enclosed for kind information.

As observed from the report, the DLC, East Godavari District has issued permission for fresh water aquaculture in the aquaculture ponds at 569, 582 & 583 at Kadali Area, Razole Mandal, East Godavari District and as per the annexure –I(guidelines) of GOMs. No. 7 of Animal Husbandry, Dairy Development & Fishers Department dated: 16.03.2013 the authority for taking action on the violations is the District Collector who is the Chairperson of the District Level Committee(DLC) on aquaculture, East Godavari District.

In view of the above, it is requested to initiate action on the aquaculture ponds located at survey nos. 569, 582 & 583 at Kadali Area, Razole Mandal, East Godavari District for the violations reported by the Joint Committee.


JOINT CHIEF ENVIRONMENTAL ENGINEER

Copy submitted to the Commissioner of Fishers, AP, Vijayawada for information.

Copy to the Joint Director of Fishers, Kakinada, East Godavari District for information.

Copy to the Senior Environmental Engineer, Legal Cell, APPCB, Head Office, Vijayawada for information.

Copy to the Environmental Engineer, APPCB, Regional Office, Kakinada, East Godavari District for information.