

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE BENCH AT CHENNAI  
ORIGINAL APPLICATION NO.114 to 122 OF 2020

Mallapu Chengamma and 8 Others  
Chengalpattu district-603305

.....Applicant

-Vs-

**1. STATE OF ANDHRA PRADESH**

Through its Chief Secretary,  
1ST Block, 1st Floor, Interim Government Complex,  
A.P. Secretariat Office,  
Velgapudi, Andhra Pradesh – 522 503.

**2. ANDHRA PRADESH STATE POLLUTION CONTROL BOARD**

Through its Member Secretary,  
D.No. 33-26-14 D/2, Near Sunrise Hospital,  
Pushpa Hotel Centre, Chalamalvari Street,  
Kasturibaipet, Vijayawada – 520 010.

**3. DEPARTMENT OF FISHERIES,**

State of Andhra Pradesh,  
Through its Commissioner,  
Bandar Road, Poranki,  
Vijayawada – 521 137, Andhra Pradesh.

**4. COASTAL AQUACULTURE AUTHORITY**

Through its Member Secretary,  
5th Floor, Integrated Office Complex for Animal Husbandry and Fisheries  
Dept.,  
Nandanam, Chennai – 600 035, Tamil Nadu.

**5. DISTRICT COLLECTOR, NELLORE,**

Achari Street, VRC Centre,  
Nellore District,  
Andhra Pradesh – 524 003.

and 61 others

Respondents

निदेशक (टेकनिकल) / Director (Technical)  
भारत सरकार / GOVERNMENT OF INDIA  
मत्स्य पालन, पशुपालन व डेयरी उद्योग मंत्रालय  
Ministry of Fisheries, Animal Husbandry and Dairying  
तटीय मत्स्यपालन प्राधिकरण / Coastal Aquaculture Authority  
चेन्नई, तमिलनाडु, भारत / Chennai-600 035, Tamilnadu, India

डॉ. वी. कृपा / Dr. V. KRIPA  
सदस्य सचिव / Member Secretary  
भारत सरकार / GOVERNMENT OF INDIA  
मत्स्य पालन, पशुपालन व डेयरी उद्योग मंत्रालय  
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**COUNTER AFFIDAVIT FILED BY 4<sup>th</sup> RESPONDENT**

I, Dr.V.Kripa Daughter of Shri Madhav Vasant Rao aged 59 years and working as Member Secretary, Coastal Aquaculture Authority do hereby solemnly affirm and sincerely state as follows:

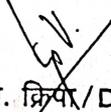
1. I submit that I am the 4<sup>th</sup> respondent herein. I am well acquainted with the facts of the case on the basis of records available in my office. I read the affidavit filed in support of the Writ Petition. I deny all the averments made therein except those that are specifically admitted hereunder.
2. I submit that an Aquaculture Authority was set up in February, 1997 though a notification dated 06.02.1997 under the provisions of the Environment (Protection) Act, 1986 in pursuance of the directives of the Supreme Court relating to setting up of shrimp aquaculture farms mainly to regulate shrimp farming in coastal areas. The Aquaculture Authority has undertaken many activities so far to promote environment friendly improved shrimp farming in the coastal areas in the country including an Expert Consultation organized in August 2002 at Chennai, which recommended many crucial issues to be taken up by all concerned for development of shrimp farming in the country.

However, Government of India in the Fifty-sixth year of Republic of India has enacted an Act (No.24 of 2005) to provide for an establishment of Coastal Aquaculture Authority for regulating the activities connected with coastal aquaculture in the coastal areas and for matters connected therewith or incidental thereto and accordingly, the Authority was established on 22.12.2005.

3. It is submitted that the Coastal Aquaculture Authority Act was enacted in the year 2005 and as per the provisions of the Act, all the existing farms shall be registered with Coastal Aquaculture Authority (CAA).
4. It is submitted that as provided under Section 2(d) of CAA Act 2005, "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 (Department of Environment, Forests and Wildlife) 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; The Government of India vide S.O 74(E) dated 23.2006 defined the other area as follows:

"Area of land within a distance of two kilometers from the High Tide Line (HTL) of seas, rivers, creeks and backwaters."

  
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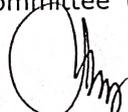
  
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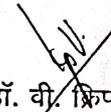
**Note: 1.** The delineating boundaries along rivers, creeks and backwaters shall be governed by the distance up to which the tidal effects are experienced and where salinity concentration is not less than 5 parts per thousand (ppt). For this purpose, the salinity measurements shall be made during the driest period of the year.

**Note: 2.** In the case of ecologically fragile areas such as Chilka Lake and Pulicat Lake, the coastal area shall extend up to a distance of two kms. from the boundary of the lakes.

5. The application for registration is to be submitted to the District Level Committee (DLC) constituted under Rule 9 of CAA rules. The DLC is authorized to inspect the farms and forward the application with due recommendation to CAA along with Socio-Environmental Impact for approval and for the issuance of registration certificate. The operation of shrimp farm activities without registration is illegal and is liable for punitive action.

- According to the Section 11(1) (c) of the Coastal Aquaculture Authority Act, 2005, subject to any guidelines issued by the Central Government under Section 3, the Authority shall exercise the power and perform the function to register coastal aquaculture farms
- According to the Section 13(2) of the Coastal Aquaculture Authority Act, 2005, a person engaged in coastal aquaculture, immediately before the appointed day, may continue to carry on such activity without such registration for a period of three months from that day and if he makes an application for such registration under sub-section (4) within the said period of three months, till the communication to him of the disposing of such application by the authority.
- According to the Rule 9 of Coastal Aquaculture Authority Rules, 2005, every application for the registration of a coastal aquaculture farm shall be made to the District Level Committee (DLC).
- According to the Rule 10(a) of Coastal Aquaculture Authority Rules, 2005, on receipt of application, DLC shall verify the particulars given in the application and shall recommend the application directly to CAA in the cases of farms having water spread area up to 2.0ha for consideration of registration under intimation to SLC.
- According to the Rule 10(b) of Coastal Aquaculture Authority Rules, 2005, on receipt of application, DLC shall verify the particulars given in the application and inspect the farm with norms specified in the guidelines and shall recommend the application State Level Committee (SLC) in the cases of farms having water spread area

  
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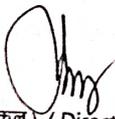
more than 2.0ha. Upon satisfaction, SLC shall further recommend the application to the CAA for consideration of registration.

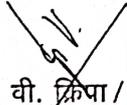
- It is submitted that Para 4.9 and 19 of the Guidelines for Regulating Coastal Aquaculture Issued under Chapter II of Coastal Aquaculture Authority Rules, 2005 provides that
- **Para 4.9 provides the following guidelines, which are mandatory, should be adopted for site selection and also to avoid subsequent social and environmental impacts:**
  - Mangroves, agricultural lands, saltpan lands, ecologically sensitive areas like sanctuaries, marine parks, etc., should not be used for shrimp farming.
  - Shrimp farms should be located at least 100 m away from any human settlement in a village / hamlet of less than 500 population and beyond 300 m from any village / hamlet of over 500 population. For major towns and heritage areas it should be around 2 km.
  - All shrimp farms should maintain 100 m distance from the nearest drinking water sources.
  - The shrimp farms should not be located across natural drainage canals / flood drain.
  - While using common property resources like creeks, canals, sea, etc., care should be taken that the farming activity does not interfere with any other traditional activity such as fishing, etc.
  - Spacing between adjacent shrimp farms may be location specific. In smaller farms, at least 20 m distance between two adjacent farms should be maintained, particularly for allowing easy public access to the fish landing centers and other common facilities. Depending upon the size of the farms, a maximum of 100 - 150 m between two farms could be fixed. In case of better soil texture, the buffer zone for the estuarine based farms could be 20 -25 m. A gap having a width of 20 m for every 500 m distance in the case of sea based farms and a gap of 5 m width for every 300 m distance in the case of estuarine based farms could be provided for easy access.
  - Larger farms should be set up in clusters with free access provided in between clusters.
  - A minimum distance of 50-100 meters shall be maintained between the nearest agricultural land (depending upon the soil condition), canal or any other water discharge / drainage source and the shrimp farm.

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- Water spread area of a farm shall not exceed 60 per cent of the total area of the land. The rest 40 per cent could be used appropriately for other purposes. Plantation could be done wherever possible.
- Areas where already a large number of shrimp farms are located should be avoided. Fresh farms in such areas can be permitted only after studying the carrying / assimilation capacity of the receiving water body.
- **Para 19.0 provides for Protecting the livelihood of various coastal communities:**
  - Coastal aquaculture, which is now confined mainly to shrimp farming, is one among the several activities in the coastal area involving the coastal communities. Much of the social conflicts in coastal areas are due to the larger demands on the limited resources, resulting in competition amongst the various stakeholders. There are also instances where through harmonious use of resources coastal communities have set up excellent examples of integrated coastal development.
  - Badly planned and unregulated operation of shrimp farms, as already indicated can cause considerable level of avoidable conflicts with the community and other sectoral activities in the vicinity of the farms. Conflicts could arise between shrimp farmers and others who either live in the coastal zone or depend on coastal zone resources for their livelihood, as also between shrimp farm owners / managers and employees, especially in the case of larger farms. Some of the more serious inter-sectoral problems would be addressed in the overall governance and regulation by adopting the following guidelines:
    - Shrimp farm owners / managers should respect the community rights and needs and in case of any conflicts arising always attempt to solve the problems in amicable ways for ensuring harmony in the community and sustainability of the shrimp farms. They should co-operate with the community and other sectoral users of the coastal resources, in common efforts for improving environmental conditions and community welfare.
    - Farmers, especially with larger holdings should employ local workers as far as possible.
    - Workers should be provided with good working conditions and should also be trained for their skill upgradation.
    - Access to the sea front and other common resources to the coastal communities by the aquaculture units should be ensured. The interests of the communities and organizations in the area should be safeguarded.

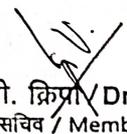
  
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- Care should be taken to see that the natural drainage canals which are used as water source for aquaculture units are not blocked so as to avoid flooding of low-lying areas and villages.
  - Salinization of land and drinking water should be avoided by providing suitable buffer zones between agricultural land, villages and shrimp farms.
  - Use of common property resources like the creeks, canals, etc., should be carried out in a harmonious manner and the traditional rights of the coastal communities should not be affected in any way.
  - To avoid problems of ground water salinization, drawl of ground water is strictly prohibited for shrimp aquaculture. It must be ensured that piezometers / ground water monitoring bore wells preferably 4 / ha (along the periphery of the pond) are installed to monitor salinity ingress. In case of salinity ingress, the Coastal Aquaculture Authority should ensure immediate closure of the farms.
6. It is submitted that, the petitioner has made an averment that the respondent Nos.6 to 66 have been engaged in illegal and unauthorized shrimp farming without obtaining mandatory permissions from the Coastal Aquaculture Authority as well as from the Authorities of the State Government. It is submitted that a total of 204 farms comprising an area of 355.52ha from the coastal areas of Chitamur Mandal has been registered with Coastal Aquaculture Authority as on date. The village wise details of registration are submitted as follows:

Sl. No.	Village Name	No. of Farms	Total Farm Area (Ha)
1.	Aruru	29	25.87
2.	Athetipadu	1	0.86
3.	Chittamur	9	18.89
4.	Eswaravaka	10	17.14
5.	Gangupalem	1	1.88
6.	Gollapalem	6	10.68
7.	Kogili	56	43.65
8.	Kothapalem	7	13.60
9.	<b>Mallam</b>	<b>5</b>	<b>7.72</b>
10.	Mukkidipalem	8	22.40
11.	<b>Padarthivarikandriga</b>	<b>10</b>	<b>12.38</b>

  
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12.	Pallamparthi	15	40.07
13.	Phothunayanapalle	6	10.31
14.	<b>Pittivanipalli</b>	<b>10</b>	<b>21.68</b>
15.	Ranganadhapuram	2	0.80
16.	Vadlavanipalle	1	1.20
17.	Yakasiri	1	0.60
18.	Yelluru	27	105.79
	<b>Total</b>	<b>204</b>	<b>355.52</b>

7. It is submitted that out of the 61 farmers/farms included as the respondent in this case, it is submitted that 17 farms have been registered with CAA. The status of the registration is submitted as follows:

Respondents no.	Name of the Respondent	Registration No. as per CAA	Validity	Status of Renewal
1.	Shri. VolipiSeenivasulu	Nil	Nil	Nil
2.	Shri. KamireddyBalasuneel Reddy	Nil	Nil	Nil
3.	Shri. Teegala Suresh Babu	AP-II-2012 (15714)	Expired on 19.04.2017	Not renewed
4.	Shri. PittiParandhamaiah	Nil	Nil	Nil
5.	Smt. Manubolu Sailaja	AP-II-2018 (19816)	06.01.2024	Active
6.	Shri. Manubolu Sathish	AP-II-2018 (19815)	06.01.2024	Active
7.	Shri. Theegala Suresh Babu	AP-II-2012 (15714)	Same as respondent no. 8	
8.	Shri. Manubolu Venkaiah	AP-II-2009 (9988)	Expired on 18.10.2019	Not renewed
9.	Shri. PamanjiChinnaChengaiiah	AP-II-2009 (9070)	Expired on 20.08.2014	Not renewed
10.	Smt. Kapaluru Varalakshmi	AP-II-2010 (12393)	27.06.2015	
11.	Smt. TheruvaiBujjamma	AP-II-2009 (9069)	Expired on 20.08.2014	Not renewed
12.	Shri. TheruvaiThirupalu	AP-II-2009 (9068)	Expired on 20.08.2014	Not renewed
13.	Smt. ParriKoteswaramma	AP-II-2008 (4789)	08.02.2014	Not renewed
14.	Smt. Chellakuru Madhusudhanamma	AP-II-2018 (19580)	06.01.2024	Not renewed
15.	Shri. Paravathareddy Venkataramana Reddy	AP-II-2017 (18750) AP-II-2018 (19578)	21.11.2022 06.01.2024	Active
16.	Shri. ParavathareddyVenkatakrishna Reddy	AP-II-2017 (18749) AP-II-2018 (19577)	21.11.2022 06.01.2024	Active
17.	Shri. Pernati Prabhakar Reddy	AP-II-2017 (18748)	21.11.2022	Active

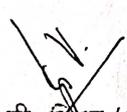
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18.	Smt. PernatiSubbamma	AP-II-2017 (18751)	21.11.2022	Active
19.	Shri. Kalluru Rajendra Babu	Nil	Nil	Nil
20.	Shri. Manubolu Sathish	Nil	Nil	Nil
21.	Shri. TheruvalThirupalu	Nil	Nil	Nil
22.	Shri. Nunjala Madhu	Nil	Nil	Nil
23.	Smt. ManuboluRagamma	Nil	Nil	Nil
24.	Shri. Manubolu Venkalah	Nil	Nil	Nil
25.	Shri. PamanjiChinnaChengalah	Nil	Nil	Nil
26.	Smt. Manubolu Sallaja	AP-II-2018 (19814)	06.01.2024	Active
27.	Shri. TheruvalChandralah	Nil	Nil	Nil
28.	Smt. PamanjiChengamma	Nil	Nil	Nil
29.	Smt. ManuboluIndhiramma	Nil	Nil	Nil
30.	Smt. KalluruSusilamma	Nil	Nil	Nil
31.	Smt. Nunjala Padma	Nil	Nil	Nil
32.	Smt. ThevuvaiBagyalakshmi	Nil	Nil	Nil
33.	Smt. TheruvalBujjama	Nil	Nil	Nil
34.	Shri. Parri Vijaykumar	Nil	Nil	Nil
35.	Shri. AllipoodiSreenivasalu	Nil	Nil	Nil
36.	Shri. Allipoodi Babu	Nil	Nil	Nil
37.	Shri. PittiMunaswami	Nil	Nil	Nil
38.	Shri. PittiLokaiah	Nil	Nil	Nil
39.	Shri. PittiVenkateshwarulu	Nil	Nil	Nil
40.	Shri. ManuboluVekateshwarulu	Nil	Nil	Nil
41.	Shri. KanapaGuravaiah	Nil	Nil	Nil
42.	Shri. PittiSubramanium	Nil	Nil	Nil
43.	Shri. Pandhikottaiah	Nil	Nil	Nil
44.	Shri. KakaniChengaiah	Nil	Nil	Nil
45.	Smt. Pitti Jayalakshmi	Nil	Nil	Nil
46.	Shri. PittiAmaraiiah	Nil	Nil	Nil
47.	Smt. PittiChandhramma	Nil	Nil	Nil
48.	Smt. VengalareddyShyamalamma	Nil	Nil	Nil
49.	Shri. PittiHanumanthaiah	Nil	Nil	Nil
50.	Shri. Pitti Krishnaiah	Nil	Nil	Nil
51.	Shri. Chinthareddy Kota Reddy	Nil	Nil	Nil
52.	Smt. Basivireddy Rajamma	Nil	Nil	Nil
53.	Shri. Panmanji Baskar	Nil	Nil	Nil
54.	Smt. Duvvuru Sunitha	AP-II-2017 (18412)	12.07.2022	Active
55.	Shri. KalluruVekateshwarulu	Nil	Nil	Nil
56.	Smt. PittiParandhamaiah	Nil	Nil	Nil
57.	Sjri. KamireddyVijayasekar Reddy	Nil	Nil	Nil
58.	Shri. KalahastiVasanthamma	Nil	Nil	Nil
59.	Shri. PittiVenkateswarlu	Nil	Nil	Nil
60.	Shri. PittiVenkateswarlu	Nil	Nil	Nil
61.	Shri. PittiChandramma	Nil	Nil	Nil

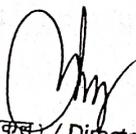
8. It is submitted Royyalavaugu creeks covers around 20 Kms in the Chitamur Mandal and finally merges into Upputeru near the Raviguntapalem Village of Vakadu Mandal. The Upputeru & Royyalavaugu creeks in and around Chittamur Mandal are historically known for high saline water due to constant tidal influx from Bay of Bengal and retention of saline water during summer. It is further submitted that kondurupalem & Duggarajapatnam which are adjoining

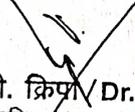
  
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Mallam tank &Upputeru creek were known for Salt pans producing salt from high saline water available in the locality.

9. It is submitted that Aqua Zonation process undertaken by the Department of Fisheries, Government of Andhra Pradesh as directed vide G.O.(MS). No.16 AHDD and Fisheries (Fish) Department dated:20.04.2018 classified the areas around Chitamur Mandal as High Saline Area.
- 10.It is submitted that as part of the Aqua culture zonation process, the potential aquaculture area with an extent of 22142.80 Hect was published in the District Gazette Notification No 23 dt 20-05-2019 in Nellore District. Out of which, 180.64 Hect was published as potential area for aqua culture in Yelluru, Kogili & Pittivanipalli revenue villages in Chittamur mandal and 347.73 Hect was published as potential area for aqua culture in Duggarajapatnam, Konduru, Andalamala, Boodidalavagu, Muttembaka, Tirumur, pathetipalem, vaggaru, Tupilipalem, Jamenkothapalem, valmedu and Pamanji revenue villages in Vakadumandal.
11. Considering the suitability of such lands classified as agricultural lands which have salinity or saline water, the Government of Andhra Pradesh vide its G.O (MS).No 128 Revenue (Assignment-I) Department dated: 04.04.2016 issued an order to amend the condition No.1 of the D form Patta format of assignment of agricultural land to the landless and poor person prescribed in Appendix -V of Board standing orders 15 with the provision that the land may be used for pisciculture/aquaculture in addition to Agriculture so as to enable use of assigned lands by the assignees for aquaculture to enhance the shrimp production, productivity which ultimately will improve livelihoods to the farmers.
- 12.Considering the suitability of the lands available in and around Chittamur Mandal, more than 350 ha area has been registered for shrimp farming by CAA. **Accordingly, it is submitted that all the areas in and around Chitamur Mandal cannot be treated as fertile Agricultural land as claimed by the petitioner and engaging in shrimp farming in lands with access to saline water is legal as per the provisions of Coastal Aquaculture Authority Act 2005.**
- 13.It is further submitted that as provided in the CAA Act, 2005, CAA Rules 2005 and Its guidelines issued under the provisions of CAA Rules 2005, all the shrimp farms should be registered with Aquaculture Authority. Operation of coastal aquaculture farms without the mandatory registration under the CAA Act is liable for a punitive action as provided under Section 14 of CAA Act 2005.
14. Section 14 of the CAA ACT 2005 provides for Punishment for carrying on coastal aquaculture without registration. —

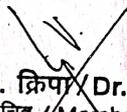
  
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If any person carries on coastal aquaculture or traditional coastal aquaculture or causes the coastal aquaculture or traditional coastal aquaculture to be carried on in contravention of sub-section (1) of Section 13, he shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to one lakh rupees, or with both.

15. It is submitted that the Government has identified the above penal provision of the CAA Act 2005 for decriminalization and is under active consideration for the removing the Imprisonment as a punishment for Punishment for carrying on coastal aquaculture without registration.
16. It is submitted that the averment of the petitioner that the shrimp farms are discharging untreated waste and Chemical effluents to the nearby water bodies is false and baseless. It is submitted that the shrimp is a fragile and highly sensitive living creatures which will not survive any polluted water conditions. Considering that the water comes out of a shrimp farm which is growing shrimps in it cannot be claimed as waste and chemical effluent since the algal biomass present in such drainage provides feed for the other organisms present in the natural environment as well.
17. It is submitted that the shrimp farmers who laid the drainage pipe lines for the draining the water from the shrimp farm into PulliKaluva, Ettigattukaluva and Royyalavagu have been issued with Notices from the Department of Fisheries to remove such pipelines.
18. It is submitted that Aqua Zonation process undertaken by the Department of Fisheries, Government of Andhra Pradesh as directed vide G.O.(MS). No.16 AHDD and Fisheries (Fish) Department dated:20.04.2018 classified the areas around Chitamur Mandal as High Saline Area. Hence the shrimp farming activities in saline affected areas of Chitamur Mandal can not be considered as violation of the Aqua Zone Criteria.
19. Further it is submitted that Coastal Aquaculture Authority and the Aqua Zonation principles of Government of Andhra Pradesh does not permit the conversion of Agricultural Lands into Shrimp Farms. However it is submitted that Considering the suitability of such lands classified as agricultural lands which have salinity or saline water, the Government of Andhra Pradesh vide its G.O (MS).No 128 Revenue (Assignment-I) Department dated: 04.04.2016 issued an order to amend the condition No.1 of the D form Patta format of assignment of agricultural land to the landless and poor person prescribed in Appendix -V of Board standing orders 15 with the provision that the land may be used for pisciculture/aquaculture in addition to Agriculture so as to enable use of assigned lands by the assignees for aquaculture to enhance the shrimp production, productivity which ultimately will improve livelihoods to the farmers.

  
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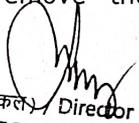
  
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20. It is submitted that the para 19 of the Guidelines for Regulating Coastal Aquaculture issued under Chapter II of Coastal Aquaculture Authority Rules, 2005 provides that **"to avoid problems of ground water salinization, drawl of ground water is strictly prohibited for shrimp aquaculture. It must be ensured that piezometers / ground water monitoring bore wells preferably 4 / ha (along the periphery of the pond) are installed to monitor salinity ingress. In case of salinity ingress, the Coastal Aquaculture Authority should ensure immediate closure of the farms"**.

21. It is respectfully submitted that the representative of Acharya MG Ranga Agricultural University who is a Member of the Joint Committee constituted by the Hon'ble NGT has reported that **"they collected 40 representative samples from different agricultural farmers' fields covering Ranganathapuram, Pittuvari Palli, Mallam, Kokupallem and Padharthivarikandruga villages of Chitamur Mandal and analyzed for soil salinity. Out of the 40 samples, 52.5% samples are non-saline (low), 20% are slightly saline, 17.5% are moderately saline 5% are strongly saline and 5% are very strong saline. The paddy crop can be grown up to moderately saline soils, beyond this, the crop yields will be declining" (Copy of the report is enclosed)"**. Accordingly, it is inferred that there is no such alarming damage inflicted by the shrimp farms to the agricultural lands in the Chitamur Mandal as claimed by the petitioner.

22. Accordingly, the following are submitted for the kind consideration of the Hon'ble NGT

- i. Shrimp Farming as regulated by the Coastal Aquaculture Authority in areas identified and designated as Aquaculture Zones by the Government of Andhra Pradesh may kindly be permitted to continue.
- ii. The drawl of ground water is strictly prohibited and hence the same shall be enforced accordingly.
- iii. Action may be initiated on the shrimp farms operated without the mandatory registration under CAA Act 2005 in accordance with the provisions of the Section 14 of the CAA Act, 2005 which provides that that if any person carries on Coastal aquaculture or traditional coastal aquaculture or causes the coastal aquaculture or traditional coastal aquaculture to be carried on in contravention of sub-section (1) of Section 13, he shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to one lakh rupees, or with both. However, it is respectfully brought to the notice of the Hon'ble NGT that the Government is actively considering a proposal to remove the provision of imprisonment as a punishment for

  
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Punishment for carrying on coastal aquaculture without registration, as a part of decriminalization initiative.

iv. Sub section (d) of Section 11 of Chapter IV of CAA Act, 2005 provides that

"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: -

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

23. This respondent craves leave of this Hon'ble NGT to place additional counter affidavit, documents at a later stage if necessary.

Under these circumstances for the reasons stated above it is respectfully submitted that this Honourable Court may be pleased to dismiss the writ petition as it is devoid of merits or any other order as it deems fit and thus render justice.

Solemnly affirmed at Chennai

this 08<sup>th</sup> day of June, 2021

and signed his name in my presence.

Before me

  
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