

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
SOUTHERN BENCH, CHENNAI.

Appl. Nos. 173 & 175 of 2016

-----K.M.Raji.----- Applicant in A.No.173/16.

-----S.Srinivasan.----- Applicant in A.No.175/16.

vs.  
Tamil Nadu Pollution Control Board, by its Chairman, Guindy, Chennai and others. Respondents in A.Nos. 173 & 175 of 2016.

TYPED SET OF PAPERS-I.

INDEX.

S.No.	Date	Description.	Page.
1	12.9.2006	Copy of G.O.Ms.No. 169, Animal, Husbandry, Diaring and Fisheries (FSIV) Department, Government of Tamil Nadu.	1
2.	09.2.2017	Copy of order in A.Nos.173 & 175 of 2016 as well as in A.Nos.82, and M.A.No.141/16 & A.No.195/15.	4
3.	04.2.2021	Copy of communication under Ref.F- No.56-01/2011-Tech from the Coastal Acquaculture Authority, State of Tamil Nadu, Chennai.	8
4.	29.10.2021	Copy of counter filed by (1) Secretary to Govt., Fisheries Department, Fort St.George, Chennai.9; (2) District Collector, Thiruvallore (3) Director of Fisheries, Chennai and the Asst. Director of Fisheries, Ponneri, Thiruvallore in W.P. 7514 of 2021 pending on the file of the Hon'ble HighCourt, Madras.	10
5.	21.2.2017	Copy of letter from Tahsildhar, Ponneri to District Revenue Officer, Thiruvallore.	16
6.	4.6.2020	Copy of letter from Asst. Director of Fisheries, Ponneri, Thiruvallore, addressed to one Fajjiravelu.	18
7.	23.12.2020	Copy of communication/information furnished by the Assistant Director of Fisheries, Ponneri, Thiruvallore, under Right to Information Act-	19
8.	--	Copy of affidavit filed by the District Collector, Thiruvallore District.	21

S.No.	Date.	Description.	Page.
9.	-	Copy of Affidavit filed by the District Collector, Thiruvallure District.	24
10.	-	Copy of ACTION TAKEN REPORT by the District Collector, Thiruvallure District.	

/True copy/

Chennai, dated: 3.12.2021. Counsel for respondents 7 to 12 in A.Nos.173 & 175 of 2016.

[Faint, mostly illegible text, likely a legal document or affidavit]

Copy of:-

**GOVERNMENT OF TAMIL NADU**

**ABSTRACT**

Coastal Aquaculture Authority Act, 2005 – Constitution of State Level and District Level Committee – Orders – Issued.

---

**Animal Husbandry, Dairying and Fisheries (FSIV) Department**

**G.O.Ms.No.169**

**Dated : 12.09.2006**

Read :

- (i) G.O. Ms. No. 74, Animal Husbandry and Fisheries Department, dt. 21.4.1998
- (ii) Member Secretary, Coastal Aquaculture Authority, D.O. Letter No.70-2/2006, Tech dated 20.2.2006.
- (iii) From Director of Fisheries Lr.No.10032/O4/2006, dt.15.3.2006
- (iv) From Director of Marine Products Export Development Authority letter No.AQ/HO/69/2005-2006, dt.17.4.2006

**ORDER**

In exercise of the powers conferred by Sub sections (1) and (3) of Section 4 of the Coastal Aquaculture Authority Act, 2005 (25 of 2005), the Government of India have established the Coastal Aquaculture Authority. The Government of India, the Ministry of Agriculture, Department of Animal Husbandry, New Delhi have also framed rules for regulating the activities connected with coastal aquaculture in exercise of the powers conferred by Section 24 of the Coastal Aquaculture Authority Act, 2005. In exercise of the powers conferred in Sub-section (4) of Section 13 of the Coastal Aquaculture Authority Act, 2005 and sections 9 and 10 of the Coastal Aquaculture Authority Rules 2005, the Central Government have prescribed the process for the registration, the manner of considering application for registration and composition of State and District Level Committee.

2. In his letter second read above, the Member Secretary, the Coastal Aquaculture Authority of India has requested the Government to Constitute State Level Committee and District Level Committee in order to consider the application of Coastal Aquaculture Farms in the State.

3. In his letter third read above, the Director of Fisheries has sent a proposal to the Government to constitute a State Level Committee and District Level Committees in order to process applications of Shrimp Aqua Farms. In his letter fourth read above, the Director of Marine Products Export Development Authority has nominated the Deputy Director, Regional Centre, Marine Products Export Development Authority, Thanjavur to serve as a member of the State Level Committee of Coastal Aquaculture Authority.

4. The Government have examined the above proposal and after careful consideration they have ordered for constitution of the State Level Committee and District Level Committee with the following Officers:-

#### I District Level Committee (DLC)

- |      |  |                   |
|------|--|-------------------|
| i)   | District Collector   | - Chairperson     |
| ii)  | Representative of the<br>State Revenue Department<br>(District Revenue Officer)          | - Member          |
| iii) | Representative of the<br>State Agriculture Department<br>(Joint Director of Agriculture) | - Member          |
| iv)  | Representative of the<br>State Environment Department<br>(District Forest Officer)       | - Member          |
| v)   | Representative of the Zilla Parishad<br>(Secretary of the District Panchayat)            | - Member          |
| vi)  | Assistant Director, Fisheries Department   | - Member Convener |

II State Level Committee

- 3
- i) Secretary to Government,  
Animal Husbandry, Dairying and Fisheries  
Dept. - Chairperson
- ii) Secretary to Government,  
Revenue Department - Member
- iii) Secretary to Government,  
Environment and Forests Department - Member
- iv) Deputy Director, Regional Centre (Aq)  
Marine Products Export Development Authority  
(MPEDA), Thanjavur - Member
- v) Director / Commissioner of Fisheries - Member Convener

5. The Government have also ordered that the existing Constitution of State Level Committee and District Level Committees, which are in vogue as per the Government Order first read above shall be dissolved.

(BY ORDER OF THE GOVERNOR)

**LEENA NAIR**  
Secretary to Government

// True Copy //

Endt.No.10032/Q4/2006

Office of the Special Commissioner  
Of Fisheries, Teynampet, Chennai-6.  
Dated 14.09.2006

Copy communicated for taking necessary urgent action.

**Sd/- K.Rengaraju,**  
for Special Commissioner of Fisheries

To  
All S.Os

Copy to:

1. Joint Director of Fisheries, Inland, Marine, Research in Head Office
2. Deputy Director of Fisheries, Inland, Marine in Head Office
3. Q4 Stock File
4. Spare

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

4  
X3

M.A.No.141 of 2016 in  
Application No.82 of 2016 (SZ)

Applicant/s

Respondents

A.Paramasivan  
Pakkam Village

1. Tamil Nadu Pollution Control Board  
rep. by its Chairman, Guindy, Chennai
2. The District Environmental Engineer  
Tamil Nadu Pollution Control Board  
Ambattur, Chennai
3. The District Collector, Thiruvallur
4. The Tahsildhar, Thiruvallur
5. The Chief Engineer, Thiruvallur
6. The District Forest Officer, Thiruvallur
7. The Assistant Engineer (Distribution)  
Tamil Nadu Electricity Board, Thiruvallur
8. The Secretary to Government  
Animal Husbandry, Dairying and  
Fisheries Dept, Fort St. George, Chennai
9. Revenue Divisional Officer, Ponneri
10. Veerasamy, Old Washermanpet, Chennai
11. Balaji, Vanuvampet, Chennai
12. Thangapandian, Old Washermanpet, Chennai

Counsel appearing for applicant

Counsel appearing for respondents

Mr.G.Stanly Hebzon Singh

Mrs.H. Yasmeen Ali for R1 & R2  
M/s. M.K. Subramanian & P. Veimani  
For R3, R4, R6 & R9  
M/s.M.Gnanasekar, K.Dillbabu,  
K.Shyam Sundar & M.N.Kathir for R10 to R12  
Mr.M.R.Gokul Krishnan for R13  
Mr.Su.Srinivasan for R14  
Mr.Vijay for R15  
Mr.L.G.Sahadevan for R16

M.A.No.141 of 2016

Application No.194 of 2015 (SZ)

Applicant(s)

Respondent(s)

L.Venkataraman,  
Velur Village, Ponneri Taluk

vs The Member Secretary, Tamil Nadu Pollution  
Control Board, Chennai and others

Counsel appearing for applicant

Counsel appearing for respondents

Mr.S.Srinivasan

Mrs.Rita Chandrasekar for R1 to R3  
Mr.M.K.Subramanian  
& P.Veimani for R4 & R5  
Mr.T.V.Vijayaragavan  
C.Sundaresan for R6 & 7  
Mr.Vijay for R8

Application No.173 of 2016 (SZ)

Applicant/s

Respondents

K.M.Raji  
Ponneri Taluk, Thiruvallur District

Vs Tamil Nadu Pollution Control Board  
rep. by its Chairman, Guindy, Chennai  
and others

Counsel appearing for applicant

Counsel appearing for respondents

M/s.R.Saravanakumar  
E.Veda Bagath Singh  
J.Raja Rao & U.Sriram

Mrs.H. Yasmeen Ali for R1 & R2  
M/s. M.K. Subramanian & P. Velmani  
For R3, R4, R5  
Mr.K.Mahendran for R6 to R12  
Mr.Vijay for R13

Application No.175 of 2016 (SZ)

Applicant/s

Respondents

S.Srinivasan  
Ponneri Taluk, Thiruvallur District

Vs Tamil Nadu Pollution Control Board  
rep. by its Chairman, Guindy, Chennai  
and others

Counsel appearing for applicant

Counsel appearing for respondents

M/s.R.Saravanakumar  
E.Veda Bagath Singh  
J.Raja Rao & U.Sriram

Mrs.H. Yasmeen Ali for R1 & R2  
Mr.K.Mahendran for R6 to R12  
Mr.Vijay for R13

Note of the Registry	Orders of the Tribunal
Item No.5 to 8	<p>Date: 09<sup>th</sup> February, 2017</p> <p>In our order dated 23.01.2017 based on the undertaking given on behalf of the private respondent Nos.10 to 12 viz., Veerasamy, Balaji and Thanga Pandian who have been carrying on shrimp farms in poramboke lands, we have directed the Tahsildar to demolish the structure as well as disconnection of electricity supply.</p> <p>The learned Government Pleader has filed a letter of Tahsildar, Ponneri addressed to the Government Pleader wherein he has stated that in respect of these 3 persons, constructions have been demolished.</p> <p>However, this is questioned by the learned counsel appearing for the applicant. In these circumstances, we permit the applicant to file the</p>

b  
15

application under Section 26 of the National Green Tribunal Act and the same will be considered on merit and in accordance with law.

In so far as it relates to encroachment of Poramboke land, we make it clear that the Tahsildar shall not allow any of the aquaculture or shrimp farms and the same are to be destroyed and the electricity should be disconnected.

In so far as it relates to Patta lands, there are 52 project proponents who were earlier given permissions and those permissions are expired. Mr.L.G.Sahadevan, learned counsel appearing for the Association consisting of 68 respondents stated that some of the members of the Association are found included in the list of 52 project proponents filed along with the reply filed by the Coastal Aquaculture Authority. Mr.L.G.Sahadevan, learned counsel undertakes to find out the Association Members who are included in the list and file a report.

In so far as it relates to the aquaculture in the above said patta lands is concerned, extensive arguments have been advanced based on the provisions of the Coastal Aquaculture Authority Act, 2005 and the Rules framed thereunder apart from the guidelines to insist that not only in CRZ areas but also in other areas, where the salinity concentration is not less than 5 ppt, as defined under Section 2 (d) of the Act, the authority will have jurisdiction. Further, the judgement of Supreme Court in Goa Foundation case has also been referred to.

In view of the above, <sup>SA</sup>we are the view that the learned counsel should be given adequate opportunity to place extensive arguments on this issue.

In so far as it relates to the *status quo* of aquaculture in patta lands which is in existence as on date, shall be maintained. It does not mean that any other person can carry on any aquaculture activity, shrimp farm in

7  
16

a private land without permission from the Authority under the Coastal aquaculture Authority Act.

In respect of those cases, where the applications have been made to the District Level Committee, the District Level Committee headed by District Collector, shall process the same and give their recommendations on merit to the Coastal Aquaculture Authority within a period of 3 weeks from the date of receipt of copy of this order. After the receipt of such recommendation, the Coastal Aquaculture Authority shall make an inspection as per Coastal Aquaculture Authority Act, 2005 and the Rules framed thereunder, and pass appropriate orders in the manner known to law within 4 weeks from the date of receipt of recommendations on merit and in accordance with law. Till the authority passes such order, no one of the private individuals shall carry on any aquaculture activity and they shall not put up any development or construction in that area.

Accordingly, the order dated 23.01.2017 stands modified to <sup>that</sup> the effect. M.A.Nos.24 and 25 of 2017 in Application No.173 and 175 of 2016 respectively shall stand ordered in the above terms.

Post these applications on 08.03.2017.

JM  
(Justice Dr. P. Jyothimani)



EM  
(Shri P.S. Rao)

राष्ट्रीय जलकृषि प्राधिकरण

मत्स्यपालन विभाग

मत्स्य पालन, पशुपालन व डेयरी उद्योग मंत्रालय  
भारत सरकार

**COASTAL AQUACULTURE AUTHORITY**

Department of Fisheries

Ministry of Fisheries, Animal Husbandry and Dairying  
Government of India



सत्यमेव जयते

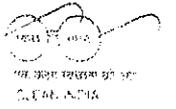
5वीं मंजिल, इंटीग्रेटेड ऑफिस कॉम्प्लेक्स  
पशु पालन व मत्स्य पालन विभाग  
पशु चिकित्सालय रोड, फैनेपेट, नन्दनम,  
चेन्नई-600035, तमिलनाडु, भारत

5th Floor, Integrated Office Complex For  
Animal Husbandry and Fisheries Department  
Veterinary Hospital Road, Fanepet, Nandanam,  
Chennai - 600035, Tamil Nadu, India.

फोन/Phone : +91 44 24353784 24353502

ईमेल/ E-mail : aquaauth@gmail.com

वेबसाइट/ website : http://www.caa.gov.in



8

F. No. 56-01/2011-Tech

Date: 04-02-2021

To,

SMT. Nirmala,  
W/o. Shri Balasubramanian,  
No. 17, Gandhi Nagar,  
Kanchivayal,  
Thirupalaivanam post,  
Ponneri, Thiruvallore district,  
Tamil Nadu.

Madam,

**Sub :** Guidelines for culture of *Litopenaeus vannamei* in  
freshwater/inland farms - Reg

**Ref :** Letter No. 35029/13/2010-Fy (Trade) dated the 21<sup>st</sup> December,  
2011, issued by Ministry of Agriculture, Department of Animal  
Husbandry, Dairying & Fisheries.

It is informed that as per Section 13(1) of CAA Act 2005, "no person shall carry on, or cause to be carried on, coastal aquaculture in coastal area or traditional coastal aquaculture in the traditional coastal aquaculture farm which lies within the Coastal Regulation Zone referred to in sub-section (9) and is not used for coastal aquaculture purposes on the appointed day unless he has registered his farm with the Authority under sub-section (5) or in pursuance of sub-section (9), as the case may be."

As per Clause (d) of subsection (1) of section 2 of CAA Act, the coastal area has been defined as follows:

"coastal area" means the area declared as the Coastal Regulation Zone, for 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 19<sup>th</sup> February, 1991 and includes such other area as the Central Government may, by notification in the Official Gazette, specify,



The Government of India vide it's notification S.O. 74(E), Ministry of Agriculture (Department of Animal Husbandry, Dairying and Fisheries), dated 23.1.2006 notified that:

*"Area of land within a distance of two kilometres from the High Tide Line (HTL) of seas, rivers, creeks and backwaters" is coming under the purview of CAA for registration.*

**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."*

Guidelines for culture of *Litopenaeus vannamei* in freshwater/inland farms issued by Ministry of Agriculture, Department of Animal Husbandry, Dairying & Fisheries provides that:

*"Farmers who desire to culture Litopenaeus vannamei in fresh water / inland farms located outside the jurisdiction of Coastal Aquaculture Authority, having a water salinity of above 0.5 PPT, shall be required to register their farms with the State Fisheries Department. However, the farms located within the jurisdiction of the CAA shall register with CAA only".*

  
(A. Antony Xavier)  
Director (Tech)



10

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
(Special Original Jurisdiction)

W.P.No. 7514 of 2021

Mani, (42),  
S/o Munusamy,  
Perumal Koil St., Kanchivayal,  
Thirupalaivanam Post, Ponneri, Thiruvallore

....Petitioner

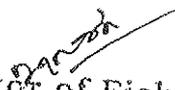
Versus

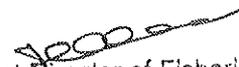
1. The Secretary to Government,  
Fisheries Department,  
Fort St. George, Chennai – 600 009
  2. The District Collector,  
Thiruvallore
  3. The Director of Fisheries,  
Chennai
  4. The Assistant Director of Fisheries  
Ponneri, Thiruvallore
- ... Respondents

Counter Affidavit filed by the 4<sup>th</sup> Respondent

I, G.Velan S/o. Ganapathy aged 51 years, Hindu, working as Assistant Director of Fisheries, Thiruvallur District @ Ponneri and having office at No.5, Shankar Nagar, Venbakkam, Ponneri, Thiruvallur District – 601 204 do hereby solemnly affirm and sincerely state as follows:-

1. I am the fourth respondent herein and as such I am well acquainted with the facts of this case from the available records. I am filing this counter affidavit on my behalf (4<sup>th</sup> respondent) and also on behalf of the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> respondents herein. I have read the affidavit filed in support of the writ petition and I deny all the averments made therein except those that are specifically admitted herein.

  
Inspector of Fisheries  
(Head Quarters)  
Thiruvallur @ Ponneri

  
Assistant Director of Fisheries  
Thiruvallur @ Ponneri

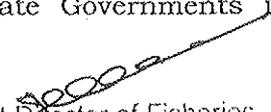
2. I submit that, the Writ Petition is not at all maintainable either in law or on facts.

3. It is respectfully submitted that, the petitioner has been filed a writ petition before the Hon<sup>ble</sup> High court of Madras, challenging the letter dated 16.10.2020 issued by 4<sup>th</sup> respondent and to quash the same and thereafter direct the respondents to regulate the Inland shrimp Farming in Thiruvallore District.

4. It is submitted that, in paragraph (2) of the petitioner affidavit, the Government of India have issued guidelines for according approval for culture of *Litopenaeus vannamei* vide Lr.No.35009/13/2010-Fy (Trade) dated 21/12/2012 regarding culture of *Litopenaeus vannamei* in Freshwater/Inland farms by the Department of Animal Husbandry, Dairying & Fisheries, Government of India and in the Sub Para (A) Registration of Para I "Guidelines for according approval for culture of SPF (Specific Pathogen Free) *Litopenaeus vannamei* in Freshwater / inland farms" clearly states that "farmers who desire to culture *Litopenaeus vannamei* in fresh water/inland farms located outside the jurisdiction of Coastal Aquaculture Authority (CAA), having a water salinity of above 0.5 PPT, shall be required to register their farms with the State Fisheries Department" by constituting a District Level Committee (DLC) by the State Government.

5. It is submitted that, the averments made in the paragraph (2) of the petitioner's affidavit is completely misleading and false. The culture farms are outside the jurisdiction of Coastal Aquaculture Authority. The culture of exotic shrimp species *Litopenaeus vannamei* is under the purview of Coastal Aquaculture Authority Act, 2005 Guidelines Annexure -II, Part II of Gazette notification (vannamei gazette). Further, the petitioner has failed to agree/accept the fact that the culture of vannamei shrimp in Freshwater or Inland areas are governed by the respective State Governments in

  
Inspector of Fisheries  
(Head Quarters)  
Thiruvallur @ Ponneri

  
Assistant Director of Fisheries  
Thiruvallur @ Ponneri 2 of 6

compliance with the guidelines issued by the Government of India. In Tamil Nadu, the culture of vannamei shrimp in Inland water areas is yet to be regulated through state guidelines. Until then, shrimp farming in freshwater/Inland areas cannot be considered legal since social conflicts among the villagers, agricultural farmers and shrimp farmers are habitual in Thiruvallore district.

6. I further submit that, Inland shrimp farming guidelines issued vide Lr.No.35009/13/2010-Fy (Trade) dated 21/12/2012 regarding culture of Litopenaeus vannamei in Freshwater/Inland farms by the Department of Animal Husbandry, Dairying & Fisheries, Government of India, in the sub para (A) Registration of Para I "Guidelines for according approval for culture of SPF (Specific Pathogen Free) Litopenaeus vannamei in Freshwater / inland farms" clearly states that farmers who desire to culture Litopenaeus vannamei in fresh water/inland farms located outside the jurisdiction of Coastal Aquaculture Authority (CAA), having a water salinity of above 0.5 PPT, shall be required to register their farms with the State Fisheries Department. **In the Government of India guidelines, in sub para (E) Legal and environmental issues states that,**

*"the State Government / U.T Administration shall ensure compliance of the state/ U.T/ National laws relating to the following aspects:*

- *Conversion of agricultural lands*
- *Conversion of wetlands*
- *Use of ground water*
- *Land leasing policy*
- *Environmental regulations*
- *Food safety*
- *Biodiversity"*

*[Signature]*  
Inspector of Fisheries  
(Head Quarters)  
Thiruvallur @ Ponneri

*[Signature]*  
Assistant Director of Fisheries  
Thiruvallur @ Ponneri 3 of 6

13

4

7. It is humbly submitted that, in so far as paragraph (3) of the petitioner affidavit, due to the social conflicts in Kanchivoyal village wherein A.Paramasivam, K.M. Raji and S. Srinivasan have filed the Original Application Nos. 82, 173 & 175 of 2016 (SZ) before the Hon'ble National Green Tribunal.

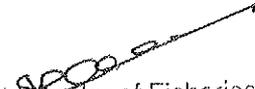
8. It is submitted that, in so far as paragraph (4) of the petitioner's affidavit, with this background, the order was issued purely based on the Hon'ble National Green Tribunal in OA.No. 82, 173 & 175 of 2016 (SZ) dated 11.08.2020, which states the following:

*Para 9. "So under such circumstances, we are compelled to pass an order directing the District Collector who is the authority under the Coastal Aqua Culture Authority Act is the grant permission to close down those units which are operating without getting the permission from the concerned authorities and disconnect the electricity connection of those units as mere pendency of their application for registration will not ratify their illegal act and file an action taken report to this Tribunal in compliance with the direction issued by this Tribunal today".*

*Para 11. "Even as per Jagannath case sited supra, no such activity is permissible under the CRZ zone. So under such circumstances, why authorities are shirking their responsibilities in not taking the action against those persons?. So, they are directed to take action against those persons in accordance with law by issuing direction to close down the units which are conducting their units without getting necessary permission and also in prohibited zones and submit a status report to this Tribunal".*

9. It is further submitted that, in the paragraph (4) of the petitioner affidavit, Conflicts between agricultural and shrimp farmers was occurred in Tamil Nadu and hence the culture of vannamei shrimp which is an exotic

  
Inspector of Fisheries  
(Head Quarters)  
Thiruvallur @ Ponneri

  
Assistant Director of Fisheries  
Thiruvallur @ Ponneri. 4 of 6

species cannot be allowed in all the inland/freshwater areas. Specific Zones which are unsuitable for agriculture and drinking water sources and which can be utilized for shrimp culture need to be demarcated. This involves a thorough study of entire prospective land for vannamei shrimp farming. As per guidelines issued vide Lr. No. 35009/13/2010 - Fy (Trade) dated 21/12/2012 regarding culture of *Litopenaeus vannamei* in Freshwater/ Inland farms by the Department of Animal Husbandry, Dairying & Fisheries, Govt. of India it is clearly stated that, relating to agricultural lands, use of Ground water resources, Land leasing policy and environmental guidelines shall ensure compliance of the State Government / U.T Administration.

10. Mere membership in DFFDA does not make the petitioner licensed to undergo vannamei shrimp culture. In the status quo order dated 09.02.2017 passed by the Hon'ble National Green Tribunal in M.A.No.141 of 2016 in Application No. 194 of 2015 (SZ) and 82, 173, 175 of 2016 (SZ) as mentioned by the petitioner, it is clearly states the following

***"In so far as it relates to statusquo of aquaculture in patta lands which is in existence as on date, shall be maintained. It does not mean that any other person can carry on any aquaculture activity, shrimp farm in a private land without permission from the Authority under the Coastal Aquaculture Authority Act"*** and also states that

***"Till the authority passes such order, no one of the private individuals shall carry on any aquaculture activity and they shall not putup any development of construction in that area".***

  
Inspector of Fisheries  
(Head Quarters)  
Thiruvallur @ Ponneri

  
Assistant Director of Fisheries  
Thiruvallur @ Ponneri

The Department of Fisheries is complying the orders of the Hon'ble National Green Tribunal dated 11.08.2020, 24.09.2020 and 13.10.2020 in this case.

11. In Tamil Nadu, the culture of vannamei shrimp in Inland water areas is yet to be regulated through State guidelines. Until then, shrimp farming in freshwater/Inland areas cannot be considered legal since social conflicts among the villagers, agricultural farmers and shrimp farmers are habitual in Thiruvallore district.

12. I most humbly submit that the petitioner is culturing *Litopenaeus vannamei* in Freshwater/ Inland water without any permission from any authorities, whatsoever. The culturing *Litopenaeus vannamei* in Freshwater/ Inland water in Tamil Nadu ought to be considered unauthorised only until such guidelines have been framed and issued.

Hence, it is respectfully prayed that this Hon'ble High Court may be pleased to dismiss the Writ Petition W.P.No.7514 of 2021 as devoid of merits and pass such order or other orders in the interest of justice.

Solemnly affirmed at Thiruvallur [ ]  
 On this 29<sup>th</sup> day of October [ ]  
 2021 and signed his name in my [ ]  
 presence [ ]  
 [ ]

BEFORE ME,  
[Signature]  
 Assistant Director of Fisheries  
 Thiruvallur @ Ponneri

**BEFORE THE HONOURABLE OF THE  
MADRAS HIGH COURT  
(Special Original Jurisdiction)**

**W.P. No.7514 of 2021**

Mr. M.Mani,  
S/o Mr. Munusamy,  
Perumal Koil Street  
Kanchivayal(V),  
Thirupalaivanam (P),  
Ponneri Taluk,  
Thiruvallur District.

-Versus-

1. The Secretary to Government  
Fisheries Department,  
Fort St.George,  
Chennai- 600 009.

and

3 Others

**COUNTER AFFIDAVIT**

**GOVERNMENT PLEADER**

விடுநர்

பெறுநர்

திரு.எஸ்.எம்.செந்தில்நாதன், B.Sc.,  
வட்டாட்சியர்,  
பொன்னேரி.

மாவட்ட வருவாய் அலுவலர்,  
திருவள்ளூர்.

ந.க.33/2016/ஆ1, நாள்: 21.2.2017

அய்யா,

பொருள்:

இறால் பண்ணை - திருவள்ளூர் மாவட்டம் - பொன்னேரி  
வட்டத்தில் இறால் பண்ணை உரிமம் மற்றும் புதுப்பித்தல் -  
இடத்தினை ஆய்வு செய்து அறிக்கை சமர்ப்பிக்கக் கோரியது -  
தொடர்பாக.

பார்வை:

1. உதவி இயக்குநர் (மீன்வளத்துறை), திருவள்ளூர்  
அவர்களின் ந.க. எண்.112/அ2/2015, நாள். 27.01.2017.
2. சார் ஆட்சியர், பொன்னேரி அவர்களின் கடித  
ந.க. எண். 705/2017/அ1, நாள். 18.02.2017.
3. தேசிய பசுமை தீர்ப்பாய வழக்கு எண் 173/2016.

\*\*\*\*\*

திருவள்ளூர் மாவட்டம், பொன்னேரி வட்டத்தில் இயங்கி வரும் இறால் பண்ணைகளை  
நேரடி தணிக்கை மேற்கொண்டு, தகுதிவாய்ந்த பண்ணைகளுக்கு உரிமம் வழங்குவது மற்றும்  
புதுப்பிப்பு குறித்து மாவட்ட அளவிலான குழுவிற்கு அனுப்புவது தொடர்பாக அறிக்கை சமர்ப்பிக்கக்  
கோரப்பட்டது. அதனடிப்படையில் பார்வை 1-ல் காணும் கடிதத்தில் இணைக்கப்பட்டுள்ள பட்டியலில்  
கீழ்க்கண்ட இறால் பண்ணைகளை தணிக்கை மேற்கொள்ளப்பட்டது.

இறால் பண்ணை - புதிய உரிமம்

வ. எண்.	உரிமைதாரரின் பெயர்	இடம்	மொத்த விஸ்தீரணம்	பயன்படுத்தப்படும் விஸ்தீரணம்	புல எண்.
1)	திரு. தயாளன்	காஞ்சிவாயல்	1.00.0	0.84.0	16/3, 17/2, 17/3, 17/5, 17/7, 20/8, 16/1, 20/14, 39/7
2)	திரு. ராஜேஷ்	காஞ்சிவாயல்	0.70.0	0.65.0	26/3பி, 26/4, 41/2பி, 46/8பி1
3)	திரு. சீனிவாசன்	காஞ்சிவாயல்	0.45.0	0.40.0	24/4, 24/2
4)	திரு. கே. ரவி	காஞ்சிவாயல்	0.75.0	0.70.0	20/8, 20/10, 20/9, 21/3
5)	திரு.எம். மணி	காஞ்சிவாயல்	0.70.0	0.65.0	19/10, 26/3ஏ, 41/2ஏ, 46/8பி2
6)	திரு. பாலேஸ்வரன்	காஞ்சிவாயல்	0.41.0	0.03.0	24
7)	திரு. ஜே. தயாளன்	காஞ்சிவாயல்	0.77.0	0.67.0	19/6, 19/7, 19/9, 19/4, 19/5, 19/1
8)	திரு. நாகராஜ்	காஞ்சிவாயல்	0.82.0	0.80.0	22/4, 22/5, 22/6, 26/7, 26/4

17

மேற்கண்ட குறிப்பிடப்பட்டுள்ள 8 புதிய இறால் பண்ணை உரிமங்களும் என்னால் நேரடி தணிக்கை மேற்கொள்ளப்பட்டது. அதில், மேற்படி இடங்களில் இறால் பண்ணை அமைப்பதினால், பொது மக்களுக்கும், அருகிலுள்ள நிலங்களுக்கும் பாதிப்பு ஏதுமில்லை என தெரியவருகிறது. எனவே, மேற்காணும் இறால் பண்ணைகள் அமைப்பதினால் சற்று குழலுக்கு பாதிப்பு ஏதும் இல்லாத நிலையில், மேற்கண்ட 8 மனுதாரர்களுக்கு இறால் பண்ணைகளுக்கு உரிமம் வழங்கலாம் என்றும் மேற்காணும் இறால் பண்ணைகள் தொடர்பாக பார்வை 3-ல் காணும் வழக்கு நிலுவையில் உள்ளது என்பதையும் பணிவுடன் தெரிவித்துக் கொள்கிறேன்.

(2/17)

தங்கள் உண்மையுள்ள,

சார் ஆட்சியர்,  
பொன்னேரி.

நகல் - சார் ஆட்சியர், பொன்னேரி அவர்களுக்கு தகவலுக்காக பணிநடனுப்பப்படுகிறது.

அனுப்புநர்  
திரு.ந.பஞ்சராஜா M.F.Sc  
மீன்துறை உதவி இயக்குநர்  
திருவள்ளூர்(இருப்பு) பொன்னேரி.

பெறுநர்  
திரு.எஸ்.வஜ்ஜிரவேலு த/பெ.செளந்தரபாண்டியன்  
ரெட்டியார் தெரு, ஓபசமுத்திரம்  
ஓபசமுத்திரம் (அஞ்சல்)  
எளாவூர், சும்மிடிப்பூண்டி (தாலுக்கா)  
திருவள்ளூர்.  
நாள். 04.06.2020

ந.க. எண். 112/அ3/2015

பொருள்- மீன்வளத்துறை - திருவள்ளூர் மாவட்டம் - கடலோர அனுமதியின்றி இறால் வளர்ப்புபண்ணைகள் - நடவடிக்கை மேற்கொள்வது - தொடர்பாக.

பார்வை- ஓபசமுத்திரம் கிராம மக்கள் மனு நாள்.02.06.2020.

திருவள்ளூர் மாவட்டம், சும்மிடிப்பூண்டி வட்டம் ஓபசமுத்திரத்தைச் சேர்ந்த திரு.எஸ்.வஜ்ஜிரவேலு த/பெ.செளந்தரபாண்டியன் என்பவர் இறால் வளர்ப்புக்காக முறையான அனுமதியின்றி ஆழ்துளை கிணறு அமைத்து இறால் வளர்ப்பு மேற்கொள்ளப்படுவதால் நிலத்தடி நீர்மட்டம் வெகுவாக குறைந்து நிலத்தடி நீர் ஆதாரம் இல்லாமல் வறட்சி, விவசாய நிலம் பாதிப்பு மற்றும் சுற்றுச்சூழல் மாசுகள் ஏற்படுகிறது என்று ஓபசமுத்திரம் கிராம மக்கள் புகார் மனு அளித்துள்ளார்கள்.

இது தொடர்பாக 04.06.2020 அன்று நேரில் ஆய்வு செய்யப்பட்டது. ஆய்வின்படி, தங்களால் மேற்காணும் முகவரியில் இறால் பண்ணை அமைக்கப்பட்டு வளர்ப்பு தொடங்கிட ஆயத்த பணிகள் மேற்கொள்ளப்பட்டு வருவது தெரிய வருகிறது. தங்களால் இறால் வளர்ப்புக்காக அரசிடம் முறையாக அனுமதி/C.A.A பதிவு/ மீன்வளத்துறையால் பதிவு சான்று எதுவும் இல்லாமல் ஆயத்த பணிகள் மேற்கொள்ளப்பட்டு வருவதாக கண்டறியப்பட்டுள்ளது.

எனவே, பொதுமக்கள் எதிர்ப்பு இருக்கும் பட்சத்தில், விவசாய நிலம், பாதிப்பு போன்ற காரணங்கள் வர வாய்ப்புகள் உள்ள தருணத்திலும், அரசின் அனுமதியின்றி, தன்னிச்சையாக இறால் பண்ணை அமைப்பது அரசின் விதிகளுக்கு முரணாக உள்ளது. எனவே, அனுமதி இல்லாமல் இறால் வளர்ப்பு பணிகள் மேலும், தொடரக்கூடாது எனவும், அவ்வாறு தொடர்ந்து செயல்படுத்தினால் அரசின் விதிகளின் படி, தகுந்த நடவடிக்கை எடுக்கப்படும் எனவும், இதன் மூலம் தெரிவிக்கப்படுகிறது.

மீன்துறை உதவி இயக்குநர்  
திருவள்ளூர்(இருப்பு) பொன்னேரி.

நகல்

1. கிராம பொது மக்கள், ஓபசமுத்திரம்
2. வருவாய் கோட்டாட்சியர், பொன்னேரி.
3. வட்டாட்சியர், சும்மிடிப்பூண்டி.
4. உதவி செயற்பொறியாளர்  
மின் உற்பத்தி மற்றும் பகிர்மான கழகம், சும்மிடிப்பூண்டி.

04/06/2020

**FISHERIES DEPARTMENT**

**FROM**

Thiru.G.Ajay Anand, M.F.Sc.,  
Assistant Director of Fisheries  
Thiruvallur @ Ponneri

**TO**

S.Vajravelu  
S/o.Soundarapandian  
Reddiyar Street  
Obasamuthiram Village  
Elavoor, Sunnambukulam Post  
Gummidipeondi Taluk  
Thiruvallur District

R.C.No.413/A2/2020

Date.23.12.2020

Sir,

**SUB:** Fisheries - Information Provided for your  
petition dated. 20.11.2020-Reg.

**REF:** Your RTI Petition Dated:20.11.2020

As per your RTI Petition dated 20.11.2020, the information requested by you given as follows:

**Information:1**

As per the Instruction given by the G.O.M.S.No.169 Animal Husbandry, Dairying and Fisheries (FS-IV) Department , dated:12/09/2006 District Level Committee Headed by the District Collector is the regulating authority for the shrimp farm.

**Information:2**

In Thiruvallur District 182 Number of shrimp farms are functioning under the jurisdiction

**Information:3**

If the salinity is less than < 0.5 PPT, Department of Fisheries could issue the license as per CAA Act, 2005 & guidelines.

**Information:4**

So for, 97 shrimp farms has been registered under Coastal Aquaculture Authority (CAA).

20

**Information: 5 and 6**

As per the Coastal Aquaculture Authority (CAA) Act 2005, action will be initiated against the unauthorized shrimp farm and also as per the NGT O.A.No. 82/2016,173/2016,175/2016 ordered 13.10.2020 action initiated to all unauthorized shrimp farm in Thiruvallur District.

  
Assistant Director of Fisheries  
Thiruvallur@Ponneri

  
23.12.2020

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

21

Original Application No.82 of 2016 (SZ) And M.A.No.141/2017(SZ)

Original Application No.173 of 2016 (SZ) And M.A.No.139 &140/2017 (SZ)

Original Application No.175 of 2016 (SZ) And M.A.No.141/2017(SZ)

Mr. A. Paramasivan

.... Applicant(s) in  
Original Application No.82 of 2016 (SZ)  
And M.A.No.141/2017(SZ)

Mr. K.M. Raji

.... Applicant(s) in  
Original Application No.173 of 2016 (SZ)  
And M.A.No.139 &140/2017(SZ)

Mr.S. Srinivasan

.... Applicant(s) in  
Original Application No.175 of 2016 (SZ)  
And M.A.No.141/2017 (SZ)

-Vs-

The Tamilnadu Pollution Control Board,  
and Others.

....Respondents

AFFIDAVIT FILED BY THE DISTRICT COLLECTOR,

TIRUVALLUR DISTRICT

I, P.Ponniah S/o K.Paulchamy, Hindu, aged about 53 years, residing at Camp Office, Master Plan complex, Tiruvallur do hereby solemnly affirm and sincerely state as follows:-

2. I humbly submit that the Hon'ble National Green Tribunal, South Zone, Chennai has given following order dated: 06.01.2021 made in Original Application No.82 of 2016 (SZ) and M.A.No.141/2017 (SZ), Original Application No.173 of 2016 (SZ) and M.A.No.139 &140/2017(SZ) and Original Application No.175 of 2016 (SZ) and M.A.No.141/2017 (SZ).

"10.The learned counsel also submitted that there is an interim order passed by this Tribunal ordering status quo in respect of certain farms being conducted in patta land and there was some direction given to dispose of the applications filed by such persons before the authority which was pending for a

long time. It is not known as to whether those applications have been considered and disposed of by the concerned authorities. It is for the parties to apprise this Tribunal by filing an affidavit or reply statement to that effect, if the direction issued by this Tribunal has not been complied with. Merely because an application for permissions pending before the authorities, is not a license for the persons to proceed with the matter, if such activities required prior permission from the authorities.

22

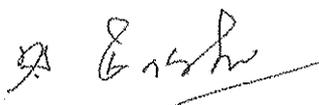
11. However, parties are at liberty to file their respective response and the committee is also directed to comply with the direction issued by this Tribunal by order dated 13.10.2020 and produce all the soil analysis report said to have been conducted to this Tribunal before the next hearing date."

3. I humbly submit that, in compliance with the order of Hon'ble National Green Tribunal, South Zone, Chennai, the District Level Committee Members have submitted their Joint Committee Report on 01.02.2021, on the applications submitted for obtaining permission to operate the shrimp farm culture. The District Level Committee has verified all 66 applications submitted by the applicants to operate the shrimp farm in brackish water. In which, 37 applications have not been recommended by the Committee for various defects noticed in the applications and their farms. The remaining 29 applications have been sent to Coastal Aquaculture Authority along with the specific remarks of District Level Committee for taking final decision. Subsequently, 22 applications for renewal of license in the category of below 2 hectare and 17 applications for renewal of license in the category of above 2 hectare have been sent to the Coastal Aquaculture Authority and State Level Committee respectively.

4. I humbly submit that, as ordered by the Hon'ble National Green Tribunal, South Zone, Chennai on 13.10.2020 the Soil Test Reports which were received from the Senior Agriculture Officer, Soil Testing Laboratory, Kakkalur, Tiruvallur District are submitted before the Hon'ble National Green Tribunal South Zone, Chennai for kind perusal.

It is therefore humbly prayed that this Hon'ble National Green Tribunal, Southern Zone, Chennai may be pleased to accept the action taken report and thus render justice.

  
District Collector,  
Tiruvallur.

  
District Revenue Officer,  
Tiruvallur.

  
Assistant Director of  
Fisheries, Ponneri.

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No.82 of 2016 (SZ) And M.A.No.141/2017(SZ)

Original Application No.173 of 2016 (SZ) And M.A.No.139 &140/2017 (SZ)

Original Application No.175 of 2016 (SZ) And M.A.No.141/2017(SZ)

Mr. A. Paramasivan ..... Applicant(s) in  
Original Application No.82 of 2016 (SZ)  
And M.A.No.141/2017(SZ)

Mr. K.M. Raji ..... Applicant(s) in  
Original Application No.173 of 2016 (SZ)  
And M.A.No.139 &140/2017(SZ)

Mr.S. Srinivasan ..... Applicant(s) in  
Original Application No.175 of 2016 (SZ)  
And M.A.No.141/2017(SZ)

-Vs-

The Tamilnadu Pollution Control Board,  
and Others.

....Respondents

AFFIDAVIT FILED BY THE DISTRICT COLLECTOR,

TIRUVALLUR DISTRICT

I, Mageswari Ravikumar D/o.(Late).Ramasamy, Hindu, aged about 44 years, residing at Camp Office, Master Plan complex, Tiruvallur do hereby solemnly affirm and sincerely state as follows:-

2. I humbly submit that the Hon'ble National Green Tribunal, South Zone, Chennai has given following order in Original Application No.82 of 2016 (SZ) and M.A.No.141/2017(SZ), Original Application No.173 of 2016 (SZ) and M.A.No.139 &140/2017(SZ) and Original Application No.175 of 2016 (SZ) and M.A.No.141/2017(SZ).

*"Considering the circumstances we feel it appropriate to get a fresh report from the District Collector, who is the District Level Committee Chairman under the Act, to consider these applications. The Pollution Control Board is also directed to inspect the units and take appropriate*

action if there is any violation in accordance with law. The District Collector is also directed to take appropriate action against those units which have not registered or not complying with the directions in this regard. The District Collector, Tiruvallur as well as Tamil Nadu Pollution Control Board are directed to submit the reports to the Tribunal within a period of two months

The authorities are also directed to consider the question of carrying capacity of allowing such activity in that area and also consider the effect on groundwater level on account of this activity. If there is such depletion there, then they are directed to conduct the study whether the activities can be restricted to particular number and take necessary steps in that regard as well, taking into account, the duty of the State Government to protect environment and ecology applying the principle of inter generation equity".

3) I humbly submit that the Assistant Director, Fisheries has reported that in Thirupalaivanam 1(Kaanchivayal) village, they are culturing shrimp in freshwater using Borewell water. The details of the shrimp farms are as follows

Sl.No	Village Name	Beneficiaries Name / Father Name	No.of Shrimp Farm Ponds	Registration and Present Status
1	Kanchivayal	Dhayalan / Jayaraman	2	Applications submitted for registration under DFFDA.
2	Kanchivayal	Ravi / Kuppureddiyar	3	Applications submitted for registration
3	Kanchivayal	Murali / Balu	2	Applications submitted for registration
4	Kanchivayal	Nagaraj / Emrose	2	Applications submitted for registration
5	Kanchivayal	Paleswaran / Emrose	2	Applications submitted for registration
6	Kanchivayal	Mani / Munusamy	1	Applications submitted for registration

7	Kanchivayal	Ramesh / Munusamy	2	Applications submitted for registration
8	Kanchivayal	Surya / Munusamy	2	Applications submitted for registration
9	Kanchivayal	Nirmala / Subramani	3	Applications submitted for registration
10	Kanchivayal	Jaysankar / Munusamy	1	Applications submitted for registration
11	Kanchivayal	Rasi / Ramachandran	2	Applications submitted for registration
12	Kanchivayal	Gomathi / Venkadeshwaralu	1	Applications submitted for registration
13	Kanchivayal	Srinivasan / Emrose	2	Applications submitted for registration

26

4) I humbly submit that, a total of 13 farmers are involved in freshwater shrimp culture in Kaanchivayal village. All have established farms in Patta land. Out of the mentioned 13 people, two have registered in District Fish Farmers Development Agency(DFFDA) and remaining 11 have applied for membership in DFFDA. Necessary steps to make all of them as members of DFFDA are being taken. The mentioned shrimp farms have not affected nearby agricultural land. The agricultural farmers themselves are practicing shrimp farming in their land. And some of them are also growing coconut trees along the banks of the shrimp culture ponds and involved in integrated shrimp farming activities. No harmful antibiotics or chemicals are being used for shrimp culture. The water from the shrimp culture ponds are actually being used as fertilizer for agricultural crops. Therefore, it is evident from the field inspection that the shrimp culture activities are not being harmful for agricultural practices.

5) I humbly submit that, the Assistant Director, Fisheries has further stated that, The shrimp farms in Thirupalaivanam 2 (Onpaakam) and Paakam village are situated within 2 Kms from Pazhaverkadu estuary which comes under the purview of Coastal Aqua Culture Authority. A total of 16 farmers are involved in shrimp culture in Thirupalaivanam 2 (Onpaakam) and Paakam village. All the 16 farms in Thirupalaivanam 2 (Onpaakam) and Paakam village are culturing shrimp in brackishwater. These farms are mandated to be

27  
 registered with the Coastal Aquaculture Authority, the details of which are as follows

Sl. No	Village Name	Beneficiaries Name / Father Name	No. of Shrimp Farm Ponds	Registration and Present Status
1	Onpakkam	Raji / Ramachandran	2	Application not submitted for registration
2	Onpakkam	Ganeshan	2	Application not submitted for registration
3	Onpakkam	Arul / Alaiyappan	4	Application not submitted for registration
4	Onpakkam	Thirusangu	8	Application not submitted for registration
5	Onpakkam	Shri ramulu / Rathinam	4	Registered under the act of CAA 2005. Registration Number TN-11-2017-(1300)
6	Onpakkam	Kabali / Sivalingam	4	Application not submitted for registration
7	Pakkam	Srinivasan	2	Registered under the act of CAA 2005. Registration Number TN-11-2017-(0022). Renewal application not received and necessary steps to do the renewal process.
8	Pakkam	Chandran / Iyyauv	2	Not in cultured. Cultured in porompoke land and Pond was demolished by Revenue officials
9	Pakkam	Arun / Venkadakrishanan	2	Application not submitted for registration. Pond culture is not carried out presently.
10	Pakkam	Anandh	5	Registered under the act of CAA 2005. Registration Number TN-11-2007-(0033). Renewal application not received and necessary

				steps to do the renewal process.
11	Pakkam	Baskaran / Rathinapandhiyan	4	Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently
12	Pakkam	Renuka / Sakthikumar	1	Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently
13	Pakkam	Sakthikumar / Rathinapandhiyan	4	Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently
14	Pakkam	Shanmugasakila / Sakthikumar	3	Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently
15	Pakkam	Rajkumar / Rathinapandiyan	1	Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently
16	Pakkam	Sivachitra / Ramkumar	1	Applications submitted for registration under CAA 2005 and DFFDA. Shrimp Culture carried out presently

6) I humbly submit that, the farms in Paakam and Onbakkam villages are situated within 2 kms from the Pazhaverkadu estuary and these areas are surrounded by brackish water and are not suitable for agriculture. In order to make such areas usable to motivate the shrimp farming the Costal Aquaculture Authority was established during the year 2005. It was inferred from the field inspection that there are no agricultural lands surrounding the

29  
shrimp farms in Paakam and Onbakkam villages and hence there is no possibility of harmful effects on agriculture.

**Conclusion**

I humbly submit that as inspection made by the official concerned, the details are revealed as follows:

SHRIMP FARM DETAIL - PONNERI TALUK													
Sl. No	Village	Survey Number	Patta Land or Encroachment	Name of the Shrimp Farm Operator	Source of Water	When applied for permission	When was the first permission granted	Expiry date of the permission / is the permission live today	In operation from when	Whether in operation today / of not, when last operated	Distance from another nearest shrimp farm	Whether located in crz area	Capacity & Extent of the Pond
1	Kaanchivalayal	19-6,17-2,3,6,16-3	Patta	Dhayalan / Jayaraman	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
2	Kaanchivalayal	20-8,9,10	Patta	Ravi / Kuppureddiyar	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
3	Kaanchivalayal	19-4,5	Patta	Murall / Balu	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
4	Kaanchivalayal	22-4,5,6B,26-13B	Patta	Nagaraj / Emrose	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
5	Kaanchivalayal	24-1	Patta	Paleswaran / Emrose	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
6	Kaanchivalayal	22-6A	Patta	Mani / Munusamy	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
7	Kaanchivalayal	21-3	Patta	Ramesh / Munusamy	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
8	Kaanchivalayal	22-6A	Patta	Surya / Munusamy	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
9	Kaanchivalayal	1/1, 4/1, 10/1, 4/3, 4/6, 5/1,2,3, 50/1B2, 52/1, 51/2,3, 53/2	Patta	Nirmala / Subramani	Bore well	22.05.2017	22.05.2017	-	2017	In operation condition	100-150 m	No	2.5 Acre
10	Kaanchivalayal	18-7,8	Patta	Jaysankar / Munusamy	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
11	Kaanchivalayal	10-2,3	Patta	Raj / Ramachandran	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
12	Kaanchivalayal	24-3	Patta	Gomathi / Venkadeshwaralu	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
13	Kaanchivalayal	24-2,4	Patta	Srinivasan / Emrose	Bore well	27.03.2020	-	-	2019	In operation condition	100-150 m	No	1 acre
14	Onpakkam	-	Patta	Raj / Ramachandran	Creek water	-	-	-	2018	In operation condition	250-300 m	Yes	2 acre

15	Onpakkam	-	Patta	Ganeshan	Creek water	-	-	-	2018	In operation condition	250-300 m	Yes	2 acre
16	Onpakkam	-	Patta	Arul / Alalyappan	Creek water	-	-	-	2018	In operation condition	250-300 m	Yes	3 Acre
17	Onpakkam	-	Patta	Thirusangu	Creek water	-	-	-	2018	In operation condition	250-300 m	Yes	3 Acre
18	Onpakkam	189/2A,2D, 2E,2B,2F, 2C	Patta	Shri ramulu / Rathnam	Creek water	Registered under the act of CAA 2005. Registration Number TN-11-2017-(1800)	2017	2022	2017	In operation condition	250-300 m	Yes	3 Acre
19	Onpakkam	-	Patta	Kaball / Sivalingam	Creek water	Not applied	-	-	2018	In operation condition	250-300 m	Yes	3 Acre
20	Pakkam	-	Patta	Srinivasan	Creek water	Not applied	-	-	2018	In operation condition	400-500	Yes	2.5 acre
21	Pakkam	-	Poromboke	Chandran / Iyyauv	Creek water	Not applied	-	-	-	Pond was demolished by Revenue officials	-	Yes	-
22	Pakkam	-	Patta	Arun / Venkadakrishnan	Creek water	Not applied	-	-	-	Not in operation	250-300 M	Yes	2 acre
23	Pakkam	150	Patta	Anandh	Creek water	Registered under the act of CAA 2005. Registration Number TN-11-2007-(0033).	2007	-	-	In operation condition	150-200 M	Yes	3 Acre
24	Pakkam	142-5,6,1	Patta	Baskaran / Rathinapandhyan	Creek water	31.07.2019	Under scrutiny of DLC	-	2019	In operation condition	50-100 M	Yes	2 acre
25	Pakkam	141-2A,2B	Patta	Renuka / Sakthikumar	Creek water	31.07.2019	Under scrutiny of DLC	-	2019	In operation condition	50-100 M	Yes	2 acre
26	Pakkam	138-6,7A,7B	Patta	Sakthikumar / Rathinapandhyan	Creek water	31.07.2019	Under scrutiny of DLC	-	2019	In operation condition	50-100 M	Yes	2 acre
27	Pakkam	140-2	Patta	Shanmugasaklla / Sakthikumar	Creek water	31.07.2019	Under scrutiny of DLC	-	2019	In operation condition	50-100 M	Yes	2 acre
28	Pakkam	137-2,5,6	Patta	Rajkumar / Rathinapandhyan	Creek water	31.07.2019	Under scrutiny of DLC	-	2019	In operation condition	50-100 M	Yes	2 acre
29	Pakkam	137-4	Patta	Sivachitra / Ramkumar	Creek water	31.07.2019	Under scrutiny of DLC	-	2019	In operation condition	50-100 M	Yes	1 acre

31

I humbly submit that, the shrimp farmers in Pakkam and Onbakkam village have applied for registration and their application is under scrutiny by the District Level Committee including Agriculture, Revenue, and Forest and Fisheries department. Additionally, the other farmers, who have not applied for registration have been instructed to do the same at the earliest, failing which , necessary action would be initiated against them.

It is therefore humbly prayed that this Hon'ble Court may be pleased to accept the affidavit and thus render justice.

  
District Collector,  
Tiruvallur.

  
10.08.2020  
AD Fisheries, Tiruvallur.

32 1

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

Original Application No.82 of 2016 (SZ) And M.A.No.141/2017(SZ)

Original Application No.173 of 2016 (SZ) And M.A.No.139  
&140/2017(SZ)

Original Application No.175 of 2016 (SZ) And M.A.No.141/2017(SZ)

Mr. A. Paramasivan

.... Applicant(s) in  
Original Application No.82 of 2016 (SZ)  
And M.A.No.141/2017(SZ)

Mr. K.M. Raji

.... Applicant(s) in  
Original Application No.173 of 2016 (SZ)  
And M.A.No.139 &140/2017(SZ)

Mr.S. Srinivasan

.... Applicant(s) in  
Original Application No.175 of 2016 (SZ)  
And M.A.No.141/2017(SZ)

-Vs-

TheTamilnadu Pollution Control Board,  
and Others.

....Respondents

**ACTION TAKEN REPORT FILED BY THE DISTRICT COLLECTOR,**  
**TIRUVALLUR DISTRICT**

I, Mageswari Ravikumar D/o.(Late).Ramasamy, Hindu, aged about 44 years, residing at Camp Office, Master Plan complex, Tiruvallur do hereby solemnly affirm and sincerely state as follows:-

2. I humbly submit that the Hon'ble National Green Tribunal, South Zone, Chennai in its order dated 24.09.2020 in the Original Application No.82 of 2016 (SZ) and M.A.No.141/2017(SZ), Original Application Nos.173 of 2016 (SZ) and M.A.No.139 &140/2017(SZ) and Original Application No.175 of 2016 (SZ) and M.A.No.141/2017(SZ) has given following direction:-

*"10. So we feel that some opportunity can be given to the applicant to submit their objections to the report and thereafter, it will be better to pass further orders in this regard. In the meantime, the District Collector, as well as the committee can proceed with the further action to be taken on the basis of*

33

2

the present report against those persons whom they found to be conducting the units illegally and submit the further action taken report as directed in the earlier paragraphs.

11. The committee as well as the District Collector is directed to submit the report to this Tribunal on or before 13.10.2020 by e-filing along with required hard copies to be produced as per rules."

3. I humbly submit that, as directed by the Hon'ble National Green Tribunal, Southern Zone, Chennai, the District Level Committee meeting has been conducted on 05.10.2020, 09.10.2020 and 10.10.2020 under the Chirman ship of the District Collector, Tiruvallur and given necessary instructions to the Committee Members to submit the action taken report in order to comply with the interim order passed by the Hon'ble National Green Tribunal on 24.09.2020 in the Original Application No.82 of 2016 (SZ) and M.A.No.141/2017(SZ), No.173 of 2016 (SZ) and M.A.No.139 &140/2017(SZ) and No.175 of 2016 (SZ) and M.A.No.141/2017(SZ). Accordingly, the Committee Members have submitted their inspection reports before the District Level Committee on 10.10.2020, in which the following facts are revealed:-

4) I humbly submit that in order to implement the order of the Hon'ble National Green Tribunal, the Assistant Director, Fisheries Department, Tiruvallur District has sent notice to the following owners of Shrimp Culture through registered post vide his letter Rc.No 704/A3/2020/1-11 Dated 06.10.2020 to remit the Environmental Compensation and served to the Shrimp farms owners on 08.10.2020, with 7 days time to remit the amount.

Sl.No	Beneficiaries Name / Father Name	Village Name	Environmental Compensation amount fixed per Unit
1	Raji S/o Ramachandran	Onpakkam	Rs. 3,93,750/-
2	Ganeshan	Onpakkam	Rs. 3,93,750/-

3	Arul S/o Alaiyappan	Onpakkam	Rs. 3,93,750/-
4	Kabali S/o Sivalingam	Onpakkam	Rs. 3,93,750/-
5	Srinivasan	Pakkam	Rs. 3,93,750/-
6	Baskaran S/o Rathinapandhiyan	Pakkam	Rs. 3,93,750/-
7	Renuka S/o Sakthikumar	Pakkam	Rs. 3,93,750/-
8	Sakthikumar S/o Rathinapandhiyan	Pakkam	Rs. 3,93,750/-
9	Shanmugasakila S/o Sakthikumar	Pakkam	Rs. 3,93,750/-
10	Rajkumar S/o Rathinapandiyan	Pakkam	Rs. 3,93,750/-
11	Sivachitra S/o Ramkumar	Pakkam	Rs. 3,93,750/-
12	Thirisangu S/o Natarajan	Ennore, Chennai-57	Rs. 3,93,750/-
13	Thiru.SriRamalu S/o Rathinam	Thiruppalaivanam	Rs. 3,93,750/-
14	Thiru.Arul S/o Vengateshwaran	Cuddalore	Rs. 3,93,750/-
15	Thiru.Ananth	Thiruvanmiyur, Chennai	Rs. 3,93,750/-

5) I humbly submit that as ordered by the Hon'ble National Green Tribunal, Southern Zone, Chennai, the Committee members viz., the Deputy Director of Agriculture, Tiruvallur, the Assistant Director of Fisheries, Ponneri, the Revenue Divisional Officer, Ponneri, Assistant Engineer, Tamilnadu Pollution Control Board (TNPCB), Gummidipondihave inspected the shrimp farms in Kanchivayal village and taken soil samples and water samples from the shrimp farms and as well as the nearby agricultural lands. The same water samples and soil samples were sent to Dr.MGR Fisheries College and Research Institute, Ponneri and Agricultural Lab, Kakkalur respectively on 09.10.2020.The results of samples are awaited. After made detailed field verification in the fresh water shrimp farms, it was clearly

35  
evident that the shrimp farmers, who were registered in a District Fish Farmers Development Agency, were culturing Shrimp culture instead of Prawn cultures. Hence the environmental compensation has been calculated as on 12.10.2020 as follows:-

$$\begin{aligned} \text{Environmental Compensation (EC)} &: P \times N \times R \times S \times L \times F \\ &: 50 \times 83 \times 250 \times 0.5 \times 1 \\ &: \text{Rs.} 5,18,750/- \end{aligned}$$

Hence, the Environmental Compensation calculated by the committee is Rs.5,18,750/- for each unit, totally Rs.67,43,750/- for 13 units.

6) I humbly submit that as ordered by the Hon'ble National Green Tribunal in its order dated 24.09.2020 in O.A.Nos.82/2016, 173/2016 & 175/2016 filed by A. Paramasivan, K.M. Raji and S. Srinivasan, the Committee consisting of the Deputy Director of Agriculture, Tiruvallur, the Assistant Director of Fisheries, Tiruvallur, the Revenue Divisional officer, Ponneri and the District Environmental Engineer, Tamilnadu Pollution Control board, Gummidipoondi have jointly inspected the units which are running in the areas on 08.10.2020 and 09.10.2020 and submitted their report on 10.10.2020 as detailed below:

(A) Shrimp farms comes under Coastal Aquaculture Authority Act purview

Sl.No.	Subject	No. of Ponds
1	Total No. of Shrimp farms identified in the area of Brackish Water Culture	182
2	No. of cases License issued by CAA (Coastal Aquaculture Authority)	97
3	No. of cases having valid license as on date	42
4	No. of cases Licence period lapsed	55
	a) No. of cases applied for renewal	21
	b) No. of cases not applied for renewal	34
5	No. of cases functioning without License	85
	a) Applications received	59
	b) Not yet applied	26

36 5

The Assistant Director of Fisheries, Ponneri has stated that, out of 182 Brackish water farms, 42 alone having valid license and in 21 cases they have applied for renewal. He also stated that the remaining 119 shrimp farms including 59 applicants who applied for grant of new license are functioning without obtaining permission from the Coastal Aquaculture Authority and requested to take action for closing. The Assistant Director of Fisheries has further requested the District Level Committee to consider the 21 renewal applications submitted by the shrimp farm owners.

(B) Shrimp culture carried out in fresh water:

Sl.No.	Subject	No. of Ponds
1	Total No. of Fresh water Shrimp farms	113
2	Not registered under DFFDA	71
3	Registered in DFFDA (District Fish Farmers Development Agency)	42

The Assistant Director of Fisheries has stated that, in respect of Inland Shrimp farming, a proposal has been sent to the Government of Tamil Nadu by the Department of Fisheries regarding regulation of Inland shrimp farming. It is still under the consideration of Government. Hence, the Assistant Director of Fisheries has requested the Committee action may be taken to temporality suspend the activities in all the 113 fresh water shrimp farms which are functioning without getting any order.

7) I humbly submit that, the District Level Committee has carefully pursued the reports submitted by the Assistant Director of Fisheries, Ponneri and given following direction to the officials concerned.

i) The Assistant Director of Fisheries, Ponneri and the Revenue Divisional Officer, Ponneri are instructed to close all the 119 brackish water shrimp farms functioning without license & temporarily suspend the activities in all 113 Inland shrimp farms which are functioning by giving notice as per law.

ii) The Assistant Director of Fisheries, Ponneri, instructed to submit the renewal applications applied by the shrimp farm owners in brackish water, before the District Level Committee within 15 days.

31

It is therefore humbly prayed that this Hon'ble Court may be pleased to accept the action taken report and thus render justice.

*[Signature]*  
District Collector,  
Tiruvallur.

*[Signature]*  
District Revenue  
Officer,  
Tiruvallur.

*[Signature]*  
Deputy Director of  
Agriculture,  
Tiruvallur

*[Signature]*  
District Forest Officer,  
Tiruvallur.

*[Signature]*  
Secretary of the District  
Panchayat,  
Tiruvallur

*[Signature]*  
Assistant Director of  
Fisheries,  
Ponneri.

*[Signature]*  
District Environmental  
Engineer, TNPCB,  
Gummidipoondi