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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

इण्डियाकोड
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MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 14*th August,* 2023/*Sravana* 23, 1945 (*Saka*)

The following Act of Parliament received the assent of the President on the 12th August, 2023 and is hereby published for general information:—

THE COASTAL AQUACULTURE AUTHORITY (AMENDMENT) ACT, 2023

No. 27 OF 2023

[12*th August,* 2023.]

An Act amend the Coastal Aquaculture Authority Act, 2005.

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

1. (*1*) This Act may be called the Coastal Aquaculture Authority (Amendment) Act, 2023. Short title and commencement.

(*2*) Save as otherwise provided, it shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act.

Amendment of section 2.

2. In section 2 of the Coastal Aquaculture Authority Act, 2005 (hereinafter referred to as the principal Act), in sub-section (*1*), 24 of 2005.—

(*i*) for clause (*a*), the following clauses shall be substituted, namely:—

'(*a*) "aquaculture input" means any material used as an input in coastal aquaculture for the maintenance of quality of water and soil and for the growth and better health of organisms reared, or other aquatic life available, therein and includes seed, fertilizer, feed, growth supplement, probiotic, environment remediator and disinfectant;

(*aa*) "aqua mapping" means geospatial coastal area distribution maps depicting areas potential and suitable for coastal aquaculture;

(*ab*) "aqua zonation" means the zones of spatial planning for different species or methods of coastal aquaculture notified by a State Government or the Authority for sustainable coastal aquaculture;

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

(*ad*) "biosecured facility" means a coastal aquaculture unit carrying on coastal aquaculture activity adopting such biosecurity measures for ensuring freedom from disease causing pathogens as may be specified in the guidelines issued for such activity;

(*ae*) "biosecurity" means any measure or strategy or integrated approach adopted to analyse, manage and prevent the risk of introduction or spread of harmful organisms, including viruses and bacteria, within the coastal aquaculture unit and to minimise the risk of transmission of infectious diseases;

(*af*) "Brood Stock Multiplication Centre" means a coastal aquaculture unit carrying on such coastal aquaculture activity which receives such post larvae or juvenile which are specific pathogen free or specific pathogen tolerant or specific pathogen resistant or such other post larvae or juvenile from a Nucleus Breeding Centre and rears it under strict biosecurity and close disease surveillance to ensure freedom from disease;';

(*ii*) for clause (*c*), the following clauses shall be substituted, namely:—

'(*c*) "coastal aquaculture" or "coastal aquaculture activity" means rearing and cultivation of any life stages of fish, including crustacean, mollusc, finfish, seaweed or any other aquatic life under controlled conditions, either indoor or outdoor, in cement cisterns, ponds, pens, cages, rafts, enclosures or otherwise in saline or brackish water in coastal areas, including activities such as production of brood stock, seed, grow out, but does not include fresh water aquaculture;

(*ca*) "coastal aquaculture unit" means any facility that is engaged in coastal aquaculture or any allied activity connected therewith and includes Nucleus Breeding Centre, Brood Stock Multiplication Centre, hatchery and farm;';

(*iii*) for clause (*d*), the following clauses shall be substituted, namely:—

'(*d*) "coastal area" means the area declared as the Coastal Regulation Zone in the Coastal Regulation Zone notification issued by the Central Government under the Environment (Protection) Act, 1986 and includes such other area as the Central Government may, by notification in the Official Gazette, specify; 29 of 1986.

(*da*) "coastal environment" means the area of land and water in the coastal area, including complete system of living organisms and physical surroundings therein;

(*db*) "farm" means a coastal aquaculture unit where culturing of fish, including crustacean, mollusc, finfish, seaweed or any other aquatic life is done under controlled conditions in ponds, pens, cages, rafts, enclosures or otherwise, in saline or brackish water in coastal areas and includes nursery rearing, but does not include fresh water aquaculture;

(*dc*) "hatchery" means a coastal aquaculture unit carrying on coastal aquaculture activity of breeding and seed production of fish, including crustacean, mollusc, finfish, seaweed or any other aquatic life, in saline or brackish water and includes rearing of nauplii and live feed, but does not include fresh water aquaculture;';

(*iv*) in clause (*e*), the words "and the member-secretary" shall be omitted;

(*v*) after clause (*e*), the following clauses shall be inserted, namely:—

'(*ea*) "Nucleus Breeding Centre" means a coastal aquaculture unit carrying on biosecured coastal aquaculture activity which has an established freedom from disease causing pathogens for the purpose of producing domesticated specific pathogen free, specific pathogen tolerant and specific pathogen resistant stocks;

(*eb*) "operator" means any person or firm that is engaged in the operation of the coastal aquaculture activity;

(*ec*) "owner", in relation to any coastal aquaculture unit, includes—

(*i*) his legal heirs or agent; and

(*ii*) an operator, a mortgagee, lessee, including sub-lessee or any other person in actual possession of such coastal aquaculture unit;

(*ed*) "pharmacologically active substance or antimicrobial agent" means a naturally occurring, semi-synthetic or synthetic substance that, at *in vivo* concentration, exhibits antimicrobial activity of killing or inhibiting the growth of microorganisms;';

(*vi*) after clause (*g*), the following clauses shall be inserted, namely:—

'(*h*) "specific pathogen free" or "specific pathogen resistant" or "specific pathogen tolerant" means free of, resistant to, or tolerant to, such pathogens as may be listed by the World Organisation for Animal Health or any other pathogen notified by the Central Government, which is specific for candidate species used in the coastal aquaculture;

(*i*) "State" includes Union territory.'.

3. In section 4 of the principal Act, — Amendment of section 4.

(*A*) in sub-section (*3*),—

(*i*) in clause (*c*), for the words "Department of Ocean Development", the words "Ministry of Earth Sciences" shall be substituted;

(*ii*) in clause (*d*), for the words "Ministry of Environment and Forests", the words "Ministry of Environment, Forest and Climate Change" shall be substituted;

(*iii*) in clause (*e*), for the words "Ministry of Agriculture", the words "Ministry of Agriculture and Farmers Welfare" shall be substituted;

(*iv*) in clause (*f*), for the words "Ministry of Commerce", the words "Ministry of Commerce and Industry" shall be substituted;

(*v*) after clause (*f*), the following clause shall be inserted, namely:—

"(*fa*) one member to represent the Ministry of Fisheries, Animal Husbandry and Dairying of the Central Government;";

(*vi*) for clause (*g*), the following clause shall be substituted, namely:—

"(*g*) one member to represent each of the coastal States and Union territories;";

(*vii*) clause (*h*) shall be omitted;

(*B*) after sub-section (*3*), the following sub-section shall be inserted, namely:—

"(*3A*) When the office of the Chairperson is vacant, the Central Government may, till the appointment of a new incumbent to the said office, nominate any member of the Authority to exercise such of the powers, and perform such of the functions, of the Chairperson as may be prescribed.".

Amendment of section 7.

4. In section 7 of the principal Act, for sub-section (*2*), the following sub-section shall be substituted, namely:—

"(*2*) If the Chairperson is unable to attend a meeting of the Authority, any other member of the Authority nominated by the Chairperson in this behalf, and in the absence of both Chairperson and nominated member, any other member chosen by the members present from amongst themselves, shall preside over the meeting.".

Insertion of new section 7A.

5. After section 7 of the principal Act, the following section shall be inserted, namely:—

Committees of Authority.

"7A. (*1*) Subject to any rules made in this behalf, the Authority may from time to time constitute such committees as may be necessary for the efficient discharge of its functions.

(*2*) Every committee shall consist of such number of persons and perform such functions and be subject to such terms and conditions as may be prescribed.".

Insertion of new section 9A.

6. After section 9 of the principal Act, the following section shall be inserted, namely:—

Secretary of Authority.

"9A. (*1*) The Central Government may appoint an officer of such rank, as it considers fit, to be a Secretary of the Authority, in such manner and subject to such terms and conditions as may be prescribed.

(*2*) The Secretary shall function as the Chief Executive Officer of the Authority who shall be responsible for—

(*a*) the day-to-day administration of the Authority;

(*b*) drawing up of proposal for the Authority's work programmes in consultation with the Authority;

(*c*) implementing the work programmes and the decisions adopted by the Authority;

(*d*) ensuring that the tasks of the Authority are carried out in accordance with the requirements of users, in particular with regard to the adequacy of the services provided and the time taken;

(*e*) the preparation of the statement of revenue and expenditure and the execution of the budget of the Authority;

(*f*) coordinating with the Central Government and with the committees of the Authority; and

(*g*) legally representing the Authority in all matters.

(*3*) Every year, the Secretary shall submit to the Authority for approval,—

(*a*) a general report covering all the activities of the Authority in the previous year;

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(*b*) the programmes of work;

(*c*) the annual accounts for the previous year; and

(*d*) the budget for the coming year.

(*4*) The Secretary shall, after the approval of the Authority, forward the general report and the programmes to the Central Government and shall have the general report published.

(*5*) The Secretary shall have administrative control over the officers and other employees of the Authority.

(*6*) The Secretary shall approve all financial expenditure of the Authority and send a report on the Authority's activities to the Central Government.".

Amendment of section 11.

7. In section 11 of the principal Act,—

(*A*) in sub-section (*1*),—

(*i*) in clause (*a*), for the words "aquaculture farms", the words "coastal aquaculture units" shall be substituted;

(*ii*) in clauses (*b*) and (*c*), for the word "farms", the word "units" shall be substituted;

(*iii*) for clause (*d*), the following clause shall be substituted, namely:—

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

(*iv*) after clause (*d*), the following clauses shall be inserted, namely:—

"(*da*) to regulate or prohibit the number, species and method of any coastal aquaculture in such area, as may be prescribed, through planning and execution of such programmes, including aqua zonation and aqua mapping for environmentally sustainable coastal aquaculture, as may be notified by the Central Government;

(*db*) to fix or adopt standards, certify, monitor, regulate or prohibit coastal aquaculture inputs, including probiotics, therapeutants and such other inputs used in coastal aquaculture, as may be prescribed, for the prevention, control and abatement of detriment to the coastal aquaculture or coastal environment;

(*dc*) to fix or adopt standards, certify, monitor and regulate the coastal aquaculture units, including coastal aquaculture activities carried out in such units with biosecurity and close disease surveillance to ensure freedom from disease, in such manner as may be prescribed;

(*dd*) to fix or adopt the standards for emission or discharge of effluents from coastal aquaculture unit:

Provided that different standards for emission or discharge may be fixed for different coastal aquaculture unit having regard to the quality or composition of the emission or discharge of effluents from such sources;

(*de*) to collect and disseminate information in respect of matters relating to coastal aquaculture;";

(*B*) in sub-section (*2*), for the word "farm", at both the places where it occurs, the word "unit" shall be substituted.

Amendment of section 12.

8. In section 12 of the principal Act,—

(*a*) for the words "land, pond, pen or enclosure", wherever they occur, the word "unit" shall be substituted;

(*b*) after the proviso, the following provisos shall be inserted, namely:—

"Provided further that the requirement of notice under the first proviso may be waived by the Authority, in such cases and for such reasons to be recorded in writing, as it deems fit:

Provided also that the owner shall be liable to pay the cost of demolition and cost of damage to the environment, if any, assessed in such manner as may be prescribed.".

Insertion of new section 12A.

9. After section 12 of the principal Act, the following section shall be inserted, namely:—

Prohibition of certain materials.

"12A. The Authority may, by an order, prohibit the use, in any coastal aquaculture activity of—

(*a*) such pharmacologically active substance, antimicrobial agent or other material which may cause harm to human health as may be prescribed; or

(*b*) aquaculture inputs containing such substance, agent or material as may be specified under clause (*a*).".

Amendment of section 13.

10. In section 13 of the principal Act,—

(*i*) in sub-section (*1*), for the word "farm", the word "unit" shall be substituted;

(*ii*) in sub-section (*3*), the following proviso shall be inserted, namely:—

"Provided that the Authority may issue a certificate of registration for carrying out coastal aquaculture on the land allotted or assigned by the Government subject to such procedure and for such period, as may be prescribed, but not exceeding the period specified under clause (*a*) or clause (*b*), as the case may be.";

(*iii*) in sub-sections (*4*), (*5*) and (*6*), for the word "farm", wherever it occurs, the words "coastal aquaculture unit" shall be substituted;

(*iv*) for sub-section (*7*), the following sub-section shall be substituted, namely:—

"(*7*) In the case of a farm comprising more than two hectares of water spread area and any other coastal aquaculture unit, no application for registration to commence any activity connected with coastal aquaculture shall be considered under sub-section (*5*) unless the Authority, after making such inquiry as it thinks fit, is satisfied that registration of such coastal aquaculture unit shall not be detrimental to the coastal environment.";

(*v*) in sub-section (*8*), with effect from the 16th December, 2005,—

(*A*) for clauses (*a*) and (*b*), the following clauses shall be substituted, namely:—

"(*a*) no coastal aquaculture shall be carried on in the ecologically sensitive areas or the geo-morphological features;

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(*b*) no coastal aquaculture, except hatchery, Nucleus Breeding Centre and Brood Stock Multiplication Centre shall be carried on in the No Development Zone in the case of sea, and in the buffer zone in the case of creeks, rivers and backwaters;

(*c*) no coastal aquaculture, except seaweed culture, pen culture, raft culture and cage culture activities shall be carried on in creek, rivers and backwaters within the Coastal Regulation Zone:";

(*B*) for the *Explanation*, the following *Explanation* shall be substituted, namely:—

'*Explanation.*—For the purposes of this sub-section,—

(*i*) "High Tide Line" means the line on the land up to which the highest water line reaches during the spring tide;

(*ii*) the expressions "ecologically sensitive areas", "geo-morphological features", "No Development Zone", "buffer zone" and "Coastal Regulation Zone" shall have the same meanings as defined in the Coastal Regulation Zone notification issued under the Environment (Protection) Act, 1986.';

29 of 1986.

(*vi*) in sub-section (*9*), for the word "farm", wherever it occurs, the word "unit" shall be substituted;

(*vii*) in sub-section (*10*),—

(*a*) for the word "farm", the words "coastal aquaculture unit" shall be substituted;

(*b*) the following proviso shall be inserted, namely:—

"Provided that the Authority may condone the delay in making application for renewal, subject to payment of such fee for renewal of registration, as may be prescribed.";

(*viii*) in sub-section (*11*), for the word "farm", at both the places where it occurs, the words "coastal aquaculture unit" shall be substituted;

(*ix*) after sub-section (*11*), the following sub-sections shall be inserted, namely:—

"(*12*) The Authority may vary, amend or modify the certificate of registration issued under this section, in such manner as may be prescribed.

(*13*) In the event of the certificate of registration issued under this Act being defaced or mutilated or lost, the Authority may grant a duplicate certificate, on payment of such fee and in such manner, as may be prescribed.".

Insertion of new section 13A.

11. After section 13 of the principal Act, the following section shall be inserted, namely:—

Authorisation of officers.

"13A. (*1*) The Authority may, by order, authorise any officer of the Authority or the State Government or the Central Government, not below the rank of Assistant Director of Fisheries in a District to function as authorised officer to exercise such powers, to discharge such duties and perform such functions, as may be specified in that order.

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(*2*) The Central Government may, by notification, authorise any officer of the Authority or the State Government or the Central Government, not below the rank of Under Secretary to the Government of India, to function as an adjudicating officer, to adjudicate the penalties imposed under this Act.

(*3*) The Central Government may, by notification, authorise any officer of the Authority or the State Government or the Central Government, not below the rank of Deputy Secretary to the Government of India, to function as the Appellate Authority, who may affirm, vary or set aside the order passed by the adjudicating officer.

(*4*) The adjudicating officer or the Appellate Authority, shall, for the purposes of discharging functions under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:— 5 of 1908.

(*a*) summoning and enforcing the attendance of witnesses;

(*b*) requiring the discovery and production of documents;

(*c*) requisitioning any public record or document or copy of such record or document from any office;

(*d*) receiving evidence on affidavits;

(*e*) issuing commissions for the examination of witnesses or documents.

(*5*) The adjudicating officer or the Appellate Authority shall be deemed to be a civil court for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973.". 2 of 1974.

Substitution of new sections 14 and 14A for section 14.

12. For section 14 of the principal Act, the following sections shall be substituted, namely:—

Penalty for carrying on coastal aquaculture in contravention of provisions of Act.

"14. Where 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 any of the provisions of this Act or any rules or regulations made thereunder or any guidelines or notifications issued thereunder, an officer authorised under section 13A shall take all or any of the following actions, namely:—

(*a*) suspension or stoppage of any activity in a coastal aquaculture unit for such period and in such manner as may be prescribed;

(*b*) imposition of penalty as specified in the Table below;

(*c*) removal or demolition of any structure;

(*d*) destruction of the standing crop therein;

(*e*) suspension or cancellation of registration for such period and in such manner as may be prescribed.

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Table

Sl No.	Coastal Aquaculture/use of prohibited materials	Offences	Penalty		
			First time offence	Second time offence	Third time and subsequent offences
(1)	(2)	(3)	(4)	(5)	(6)
1.	Farm	Non-registration.	Rupees ten thousand per hectare (or fraction of a hectare) of water spread area.	Rupees fifteen thousand per hectare (or fraction of a hectare) of water spread area.	Rupees twenty-five thousand per hectare (or fraction of a hectare) of water spread area.
		Non-compliance with the provisions of the Act, rules, regulations, guidelines and notifications, other than non-registration.	Rupees five thousand per hectare (or fraction of a hectare) of water spread area.	Rupees ten thousand per hectare (or fraction of a hectare) of water spread area.	Rupees fifteen thousand per hectare (or fraction of a hectare) of water spread area.
2.	Hatchery, Brood Stock Multiplication Centre, Nucleus Breeding Centre or such other coastal aquaculture unit	Non-registration.	Rupees fifty thousand.	Rupees seventy-five thousand.	Rupees one lakh.
		Non-compliance with the provisions of the Act, rules, regulations, guidelines and notifications, other than non-registration.	Rupees twenty-five thousand.	Rupees fifty thousand.	Rupees one lakh.

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(1)	(2)	(3)	(4)	(5)	(6)
3.	Use of materials prohibited under section 12A	Contravention of the provisions of clause (*a*) or clause (*b*) of section 12A.	Rupees fifty thousand.	Rupees seventy-five thousand.	Rupees one lakh.

Appeal.

14A. (*1*) Any person aggrieved by an order of the adjudicating officer may within thirty days from the date on which the order is made, prefer an appeal to the Appellate Authority:

Provided that the Appellate Authority may entertain any appeal preferred after the expiry of the said period of thirty days, but before the expiry of ninety days from the date aforesaid, if it satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(*2*) No appeal under this section shall be entertained by the Appellate Authority unless the appellant has at the time of filing the appeal deposited the amount of penalty payable under the order appealed against:

Provided that on an application made by the appellant in this behalf, the Appellate Authority may, if it is of the opinion that the deposit to be made under this sub-section shall cause undue hardship to the appellant, by order in writing, dispense with such deposit, either unconditionally or subject to such condition, as it may deem fit to impose.

(*3*) On the receipt of an appeal under sub-section (*1*), the Appellate Authority may, after holding such enquiry as it deems fit, and after giving the parties concerned reasonable opportunity of being heard, confirm, modify or set aside the order appealed against, and—

(*a*) if the sum deposited by way of penalty under sub-section (*2*) exceeds the penalty directed to be paid by the Appellate Authority, such excess amount shall be refunded to the appellant; or

(*b*) if the Appellate Authority sets aside the order imposing penalty, the whole of the sum deposited by the way of penalty shall be refunded to the appellant.

(*4*) The decision of the Appellate Authority under this section shall be final.".

Insertion of new section 22A.
Arrears of cost and penalty recoverable as arrears of land revenue.

13. After section 22 of the principal Act, the following section shall be inserted, namely:—

"22A. Any cost which is due and not paid as provided for by or under this Act and any sum directed to be recovered by way of penalty under section 14 shall be recoverable in the same manner as an arrear of land revenue.".

Amendment of section 24.

14. In section 24 of the principal Act, in sub-section (*2*),—

(*i*) after clause (*a*), the following clause shall be inserted, namely:—

"(*aa*) the powers to be exercised and the functions to be performed by the nominated member under sub-section (*3A*) of section 4;";

(*ii*) after clause (*b*), the following clauses shall be inserted, namely:—

"(*ba*) the manner of constitution of committees under sub-section (*1*) of section 7A;

(*bb*) the number of persons in the committees, their functions, and the terms and conditions of the committees under sub-section (*2*) of section 7A;

(*bc*) the manner of appointment and the terms and conditions for appointment of Secretary under sub-section (*1*) of section 9A;

(*bd*) the area in which the Authority may regulate or prohibit the number, species and method of any coastal aquaculture under clause (*da*) of sub-section (*1*) of section 11;

(*be*) the other inputs used in coastal aquaculture under clause (*db*) of sub-section (*1*) of section 11;

(*bf*) the manner of certification, monitoring and regulation of the coastal aquaculture units and the manner of carrying out coastal aquaculture activities with biosecurity and close disease surveillance to ensure freedom from disease in coastal aquaculture units under clause (*dc*) of sub-section (*1*) of section 11;";

(*iii*) in clause (*e*), for the words "land, pond, pen or enclosure under that section", the word "unit" shall be substituted;

(*iv*) after clause (*f*), the following clauses shall be inserted, namely:—

"(*fa*) the manner of assessing the cost of damage to the environment under the third proviso to section 12;

(*fb*) prohibition of such other material which may cause harm to human health under clause (*a*) of section 12A;

(*fc*) the procedure and period under the proviso to sub-section (*3*) of section 13;";

(*v*) in clause (*j*), after the word and figures "section 13", the words "and the fee for renewal of registration under the proviso thereof" shall be inserted;

(*vi*) after clause (*j*), the following clauses shall be inserted, namely:—

"(*ja*) the manner of varying, amending and modifying the certificate of registration under sub-section (*12*) of section 13;

(*jb*) the fee for grant of duplicate certificate and the manner of granting it under sub-section (*13*) of section 13;

(*jc*) the period and manner of suspension or stoppage of activity in a coastal aquaculture unit under clause (*a*) of section 14;

(*jd*) the period and manner for suspension or cancellation of registration under clause (*e*) of section 14;".

Amendment of section 25.

15. In section 25 of the principal Act, in sub-section (*2*), in clause (*d*), for the word "farms", the word "units" shall be substituted.

Amendment of section 27.

16. In section 27 of the principal Act,—

(*a*) for sub-section (*1*), the following sub-section shall be substituted, namely:—

29 of 1986.

'(*1*) Notwithstanding anything contained in clause (*v*) of sub-section (*2*) of section 3 of the Environment (Protection) Act, 1986 or clause (*d*) of sub-rule (*3*) of rule 5 of the Environment (Protection) Rules, 1986, in the Coastal Regulation Zone Notification or the Island Coastal Regulation Zone Notification issued by the Government of India in the Ministry of Environment, Forest and Climate Change, in exercise of the powers conferred under the said Environment (Protection) Act, in the paragraph dealing with prohibited activities, after the last sub-paragraph, the following proviso shall be inserted and shall always be deemed to have been inserted with effect from the 19th day of February, 1991, namely:—

"Provided that nothing contained in this paragraph shall apply to coastal aquaculture.".';

(*b*) in sub-section (*2*), the word "farm's" shall be omitted.

Insertion of new section 28.

17. After section 27 of the principal Act, the following section shall be inserted, namely:—

Validation of certain provisions and amendments retrospectively.

"28. (*1*) Where a coastal aquaculture and activities connected therewith has been granted registration under this Act, then, notwithstanding anything contained in clause (*v*) of sub-section (*2*) of section 3 of the Environment (Protection) Act, 1986, or 29 of 1986.
clause (*d*) of sub-rule (*3*) of rule 5 of the Environment (Protection) Rules, 1986 or in any other law for the time being in force:—

(*i*) such registration granted under this Act shall prevail and remain valid;

(*ii*) such coastal aquaculture and activities connected therewith shall be a permitted activity under the Coastal Regulation Zone Notification or the Island Coastal Regulation Zone Notification issued under the Environment (Protection) Act, 1986; 29 of 1986.

(*iii*) all registrations granted for coastal aquaculture and activities connected therewith under this Act shall be valid permissions under the applicable rules, regulations and notifications notified under the Environment (Protection) Act, 1986 from time to time. 29 of 1986.

(*2*) The provisions of sub-section (*1*), and the provisions of sub-section (*8*) of section 13 as amended retrospectively with effect from the 16th December, 2005 by the Coastal Aquaculture Authority (Amendment) Act, 2023, shall have and shall be deemed always to have effect for all purposes as if they had been in force at all material times, and accordingly,—

(*i*) notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority, any action taken or anything done or purported to have been taken or done in accordance with the said provisions shall be deemed to be, and always to have been, for all purposes, as validly and effectively taken or done as if the said provisions had been in force at all material times;

(*ii*) no suit or other proceeding shall be instituted, maintained or continued in any court for any action taken or anything done or omitted to be done in accordance with the said provisions; and

(*iii*) no enforcement shall be made by any court of any decree or order or direction relating to removal or closure of any coastal aquaculture activity or demolition of any structure connected therewith or relating to any action taken or done or omitted to be done in accordance with the said provisions as if the provisions of sub-section (*1*), and the amendments made in sub-section (*8*) of section 13 had been in force at all material times.".

———

DR. REETA VASISHTA,
Secretary to the Govt. of India.

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