

Standing Committee Report Summary

The Coastal Aquaculture Authority (Amendment) Bill, 2023

- The Standing Committee on Agriculture, Animal Husbandry and Food Processing (Chair: Mr. P. C. Gaddigoudar) submitted its report on the ‘Coastal Aquaculture Authority (Amendment) Bill, 2023’ on July 21, 2023. The Bill amends the Coastal Aquaculture Authority Act, 2005. The Act regulates coastal aquaculture and establishes an Authority for such regulation. Coastal aquaculture refers to rearing and cultivating fish under controlled conditions. Key observations and recommendations of the Committee include:
 - **Permitting certain aquaculture activities in CRZ areas:** The Bill permits hatcheries, nucleus breeding centres and brood stock multiplication centres to be established in no-development zones of seas and in buffer zones of creeks/rivers/backwaters. The Department of Fisheries submitted that under the Act, coastal aquaculture is prohibited in these areas, since coastal aquaculture only consisted of shrimp farming at the time. It noted that newer aquaculture activities such as hatcheries, brood stock multiplication centres and nucleus breeding centres need proximity to the coast for access to seawater. The Department noted that while the CRZ permitted such activities, the National Green Tribunal did not allow them to be carried out due to the absence of an explicit provision in law. The Committee noted that these activities were granted exemption under the Coastal Regulation Zone (CRZ) Notifications of 1991 and 2011, and that the Bill provides a statutory backing for such exemptions. The Committee accepted the proposed amendment.
 - **Composition of the Authority:** The Authority comprises 11 members, of which three are experts in coastal aquaculture, coastal ecology and environment protection, and four represent coastal states on a rotational basis. The Committee noted that the Authority did not include adequate representation from the coastal states and concerned stakeholders. The Department pointed out that farmer association members and farmer producer organisations may be represented in the committees formed under the Bill. Noting that such representation is not mandatory under the Bill, the Committee recommended that all coastal states, stakeholders, and public representatives (such as community members) must be represented in the Authority or the committees.
 - **Vacancy of the Chairperson:** Under the Act, in case of the absence of the Chairperson, a member chosen by the present members may preside over the meeting. The Bill authorises the Chairperson to nominate a presiding member in his absence. If both the Chairman and the nominated member are absent, a member chosen by the present members may preside over the meeting. The Committee noted the Bill does not provide for a procedure in case the position of the Chairperson is vacant, and recommended that a provision be made.
 - **Regulation of inputs:** The Bill adds that the Authority shall fix standards, certify, monitor, prohibit, and regulate coastal aquaculture inputs. These include antibiotics, probiotics and therapeutants. Presently the Authority has a voluntary certification system for ensuring that inputs do not contain antibiotics. The Committee noted that drugs used by shrimp farmers for improving quality contain banned antibiotics, whose residue is found at the export stage. Such shipments are banned by importing countries. The Committee recommended that the Authority make its certification system mandatory.
 - **Power to enter premises:** The Act empowers an authorised person to enter and inspect/survey/demolish any coastal aquaculture land/enclosure, with a minimum 24-hour notice. The Bill waives the notice requirement provided that the reasons be recorded in writing. The Committee observed that the Bill did not define the reasons or causes under which an officer would be authorised to enter without prior notification. The Department replied that an approval would only be given in exceptional cases where a prior notice would defeat the purpose of the inspection (such as illegal antibiotic use). While the Committee accepted the proposed amendment, it highlighted that the Department should put in adequate safeguards to prevent its misuse.

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