

The Tamil Nadu Aquaculture (Regulation) Rules, 1995

TAMILNADU

India

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Rule

THE-TAMIL-NADU-AQUACULTURE-REGULATION-RULES-1995 of 1995

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The Tamil Nadu Aquaculture (Regulation) Rules, 1995 Published vide Notification G.O. Ms. No. 80, Animal Husbandry and Fisheries, Fs. (4), dated 2nd May 1995 - No. SRO A.25(a)/95 In exercise of the powers conferred by section 26 of the Tamil Nadu Aquaculture (Regulation) Act, 1995 (Tamil Nadu Act 6 of 1995), the Governor of Tamil Nadu hereby makes the following rules:-

1. Short title.

- These rules may be called the Tamil Nadu Aquaculture (Regulation) Rules, 1995.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Tamil Nadu Aquaculture (Regulation) Act, 1995 (Tamil Nadu Act 6 of 1995);(b)"Form" means a Form appended to these rules;(c)"licence" means a licence granted imder section 9; and(d)"section" means a section of the Act.

3. Application for grant of licence.

(1)Every person intending to establish an aquaculture or who has established any aquaculture unit which is in existence immediately before the date of commencement of the Act shall, soon after the publication of these rules, make an application for a licence to the District Committee concerned in Form I, along with a demand draft for a sum of Rs. 500 (Rupees five hundred only) in favour of the Chief Executive Officer, Brackish Water Fish Farmers Development Agency of the district specified in column (2) of the Table below and drawn in any Nationalised Bank payable at the places specified in the corresponding entries in column (3) thereof:Table

SI. No.	Chief Executive Officer, Brackish Water Fish Farmers Development Agency	Place of the bank
(1)	(2)	(3)
1.	Vanianchavadi, Chengalpatlu-M.G.R. District	Kancheepuram
2.	Cuddalore, South Arcot- Vallalar District	Cuddalore
3.	Cuddalore, Villupuram Ramasamy Padayatchiar District	Cuddalore
4.	Pattukottai, Thanjavur District	Pattukottai
5.	Pattukottai, Nagapattinam Quaid-E-Milleth District	Pattukottai
6.	Pattukottai, Pudukottai District	Pattukottai
7.	Ramanathapuram, Ramanalhapuram District	Ramanathapuram
8.	Tuticorin, VO. Chidambaranar District	Tuticorin
9.	Tuticorin, Nellai-Kattabomman District	Tuticorin
10.	Tuticorin, Kanyakumari District	Tuticorin

(2) Every licence granted under sub-section (1) of section 9 shall be in Form II.

4. Members of the District Committee.

- A District Committee constituted under section 5 shall consist of the following officials as members, namely:-(a) Chief Executive Officer, Brackish Water Fish Farmers Development Agency having jurisdiction over the district;(b) Joint Director of Agriculture of the District concerned;(c) Executive Engineer (Irrigation), Public Works Department;(d) Executive Engineer (Ground Water), Public Works Department;(e) District Forest Officer;(f) District Environmental Engineer, Tamil Nadu Pollution Control Board, having jurisdiction over the district; and (g) Regional Deputy Director, Town and Country Planning having jurisdiction over the District.

5. Meetings of the District Committee.

(1) The District Committee shall meet at least once in fifteen days and as often as may be necessary.(2) The Member-Secretary shall, in consultation with the Chairman fix the date, time and place of, and also draw up agenda for every meeting. Notice of not less than seven clear days shall be given for every member of such meeting. No matter/other than that included in the Agenda, shall be considered except with the permission of the Chairman: Provided that seven clear days notice shall not be necessary when, in the opinion of the Chairman, business of an emergent nature has to be transacted.

6. Quorum.

- No business shall be transacted at any meeting of the District Committee unless there is a quorum of not less than one-third of the total number of members of the District Committee including the Chairman: Provided that if at any meeting less than one-third of the total number of members are present, the Chairman may adjourn the meeting to a date not later than seven days from the date of

the original meeting and it shall there upon be lawful to dispose of the business at such adjourned meeting irrespective of the number of members present.

7. Proceedings of the meeting and minutes.

(1)The proceedings of each meeting showing, inter alia, the names of the members present thereat shall be forwarded to each member of the District Committee, as soon as possible.(2)The minutes of proceedings of the meeting shall be confirmed with such modifications, if any, as may be considered necessary at the next meeting of the District Committee and a copy thereof shall be submitted by the District Committee to the Government after such confirmation.

8. Forwarding of the application.

- The District Committee shall forward every application received under rule 3 to the Director with its specific remarks within sixty days from the date of receipt of such application.

9. Renewal of licence.

(1)The procedure prescribed in rule 3 shall apply in relation to a renewal of licence as they apply in relation to the grant of a licence.(2)Every application for renewal of a licence shall be made three months before the date of expiry of the period of licence. The Director, after satisfying himself, may renew it for a further period of five years.

10. Issue of duplicate licence.

- Every application for a duplicate licence shall be in writing and made to the Director indicating the number and date of original licence, and accompanied with a Demand Draft for a sum of Rs. 50 (Rupees fifty only), drawn on a Nationalised Bank in favour of the Director.

11. Eco-Restoration Fund.

(1)Every aquaculture unit shall deposit a sum of Rs. 5,000 (Rupees five thousand only) per hectare to the Eco-Restoration Fund within thirty days from the date of grant of the licence.(2)The Director shall deposit every such sum in a Nationalised Bank or a Co-operative Bank. Separate registers shall be maintained for such deposits and half yearly report thereon shall be sent to the Government.

12. Refund of the amount deposited to the Eco-Restoration Fund.

(1)Every application for refund of the amount deposited to the Eco-Restoration Fund under sub-section (4) of section 8 shall be in writing, setting out in detail the eco-restoration work carried out by the applicant and shall be made to the Director.(2)On receipt of the application under sub-rule (1), the Director, after consulting the District Committee, may refund seventy-five per cent of the amount so deposited, at the end of the period of licence. The remaining 25 per cent,

(twenty-five per cent.) of the deposit with the Director shall be utilized for the Community Development of Fishermen.

13. Appeal.

- Every appeal under sub-section (1) of section 15 shall be in Form III and shall be made within 45 days from the date of receipt of an order appealed against.

14. Revision.

- Every application for revision under sub-section (1) of section 16 should be in Form IV and shall be verified in the manner specified therein. It shall be accompanied with a fee of Rs. 100 (Rupees one hundred only).

15. Places of heritage.

- For the purpose of the Act, the places specified in the Schedule, shall be the places of heritage. Form I Application for Grant/ Renewal of Licence for an Aquaculture Unit [See rule 3(1)]

**1. Name of the applicant/ registered company/ Industrial Establishment
(furnish details of permanent address.**

2. Address for communication

3. Whether small scale unit (1 to 5 hectares); medium scale (between 5 hectares to 40 hectares) or a large scale unit (above 40 hectares).

4. If, integrated project is proposed, details of amount proposed item-wise indicating installed capacity

(a) Hatchery. (b) Farming. (c) Feed Mill. (d) Processing/ packaging.

5. Details of the land proposed for a aquaculture project,

(a) District. (b) Taluk. (c) Revenue Village. (d) Survey Nos. (e) Total extent of farm area for which licence is applied (in hectare). (i) Extent of patta land already acquired (in hectare). (ii) Extent of Government poramboke lands (inclaves) involved in the project in hectare), if any Total extent of private and lease land involved (in hectare) with period of lease. Total :

- 6. Furnish the design and layout of the proposed farm with feasibility report, if any.**
- 7. Furnish the design of technical collaboration, if any for different components**
- 8. Whether separate application has been submitted to the Tamil Nadu Pollution Control Board for clearance.**
- 9. Whether any Government land is involved in the proposed project. If so, does it come under prohibited/ non-prohibited category Specify the nature of land.**
- 10. Whether the proposed farm site has Public Works Department Irrigation/ drainage channels.**
- 11. If yes, whether referred to Public Works Department for assessing the current status, utility and feasibility for realignment of the Channels and the reply, if any received (furnish details).**
- 12. Furnish details about water in-take/ discharge systems.**
- 13. Furnish details about the effluent treatment facilities.**
- 14. Details of remittance of Rs. 500 (Rupees five hundred only) towards licence fee.**

(a) Demand Draft No. and date. (b) Name of bank. Declaration I/ We son of hereby declare that information furnished above are true to the best of my/ our knowledge and belief. I am fully aware that if it is found in a later date that information furnished by me/ us is false and there is any kind of violation against the Act and rules, the clearance given may be either suspended or cancelled. Date : Place : Signature of Applicant Form II Licence No. Date : Licence under section 9 of the Tamil Nadu Aquaculture (Regulation) Act, 1995 (Tamil Nadu Act 6 of 1995) for the Establishment of an Aquaculture Unit [See rule 3(2) of the Tamil Nadu Aquaculture (Regulation) Rules, 1995] Licence is hereby granted to Thiru/ Tmt./ M/s S/o/W/o residing at in the taluk of of District for establishment of a small/ medium/ large aquaculture unit for a period of 5 years, from the to the in the place mentioned below: Name of village Survey number and extent Location of the farm/ hat/ hery/ feed/ mill processing Plan Survey No. Extent

2. This licence is granted, subject to the following conditions:-

(a)The aquaculture unit shall not be established without the consent of the Tamil Nadu Pollution Control Board constituted under the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1964);(b)The aquaculture unit shall deposit a sum of rupees five thousand per hectare to the Eco-Restoration Fund;(c)The aquaculture unit shall not divert the drainage channels of the Public Works Department without the approval of that Department;(d)The aquaculture unit shall design the layout and construction of farms providing for effluent settlement ponds with a view to discharge the treated effluents in conformity with the standard prescribed by the Tamil Nadu Pollution Control Board;(e)The aquaculture unit shall adopt such sustainable aquaculture reopractices in harmony with the environment may be prescribed;(f)The aquaculture unit shall regulate the use of chemicals and drugs in such a way that they remain below detection level at the point of effluent discharge; and(g)The licence shall not be transferable. The licence shall be exhibited in the premises and produce for checking whenever demanded by any inspecting officer.(Forwarded/ By Order)Signature of Licensing Authority Director of Fisheries, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).](Seal of Office)Date :Place :Endt. No. dated theReference Application, datedIn excise of the powers conferred by sub-section (1) of section 9, of the Tamil Nadu Aquaculture (Regulation) Act, 1995 (Tamil Nadu Act, 6 of 1995), the Director of Fisheries hereby renews the licence for a further period from the to the(Forwarded/ by order)(Seal of Office)Date :Director of Fisheries, Madras for and on behalf of the Director 2 of Fisheries, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).]Place:Form III[See rule 13]Appeal No.Appeal presented to the Government to revise the order of the Director, dated and passed in(1)Date of commencement of the order of the Director.(2)Address to which notice may be sent to the appellant.(3)Relief claimed in appeal.(4)Grounds of appeal (state the facts disputed briefly).(Signed).....Applicant(s)VerificationI/ We the appellant(s) do hereby declare that what is stated above is true to the best of my/ our knowledge and belief. Verified today the day of 199(Signed).....Appellant(s)N.B. (1) The appeal should be accompanied by a certified copy of the order of the Director appealed against.(2)The appeal should be written in English and should set forth concisely and under distinct heads the facts of case, etc., grounds of appeal.Form IVRevision Petition in the High Court of Madras Memorandum of Civil Revision Petition(See rule 14)(Under section 16 of the Act) Civil Revision Petition No..... Petitionerv..... RespondentRevision petition to the High Court to revise the order of the Government and passed in on(1)Date on which the order was made.(2)The designation of the officer whose orders were appealed against (before) the Government.(3)Date of commencement of the order of the Government.(4)Findings of the Government (state in serial and appropriate order the relevant findings arrived at by the Government).(5)Questions of law raised for decision by the High Court (here formulate the questions of law raised concisely, etc.)(Signed)Petitioner(Signed)Authorised representative, if any.VerificationI/ We the petitioner(s) do hereby declare that what is stated above is true to the best of my/ our knowledge and belief.Verified today that day of 20...(Signed)Petitioner(s)(Signed)Authorised representative, if any.N.B. (1) The petition should be accompanied by a certified copy of the order of the Government.(2)The petition should be accompanied by a fee of Rs. 100.(3)The petition should

be written in English and should set forth concisely and under distinct heads the facts of the case, the findings arrived by the Government and the questions of law raised consecutively. There should be no argument/ or narrative. The Schedule List of Places of Heritage [See rule 15]

SI. No.	Name	Village	District
(1)	(2)	(3)	(4)
1 Chengai - M.G.R. District			
1.	Pillai Chatiram	Selvazhimangalam	Tiruperumbudur
2.	Sivankoil Sivapuram	Do	---
3.	Alarobarai Fort	Alambarai	Madurantakam
4.	Vittal Temple	Vittalapuram	Chengalpattu
5.	Sivankoil	Sivankoodal	Tiruperumbudur
6.	Karunguzhikottai	Karunkuzhi	Madurantakam
7.	Vazhippokkar Mandapam	Thangi	Kanchipuram
8.	Mahadevan Koil	Edyarkuppam	Tirupetumbudur
9.	Tirulokanatha Jeenaswamy Temple	Tiruparudhikuppam	Kanchipuram
10.	Visaleeswarar Temple	Vilakanampoondi	Tiruthahi
11.	Chokkeeswarar Temple	Kanchipuram	Kanchipuram
12.	Sivankoil	Kooram	Kanchipuram
13.	Chandraprabha Temple	Tiruparuthikunram	Kanchipuram
2. Vellore - Ambedkar District			
14.	Aramamalai Caves	Malayampattu	Gudiyattam
15.	Seven Mothers Sculptures	Perunkanchi	Valajapettai
16.	Tombs of Ceylon Kings	Vellore	Vellore
17.	Valleeswarar Temple	Thakkolam	Arakkonam
3. Tiruvannamalai - Sambuvarayar District			
18.	Vandavasi Fort	Vandavasi	Vandavasi
19.	Chinnayankulam	Chinnayankottai	Chengam
20.	Poondi Arugar Temple	Erumpedu	Arani
21.	Gangakondacholees-warar	Koolampandal	Cheyar
22.	Rock Paintings	Chettavarai	Chengai
4. Villupuram - Ramasamy Padayatchiyar District			
23.	Malaikottai Walls	Thyagadurgam	Kallakurichi

24.	Kapilar Rocks	Pennaru	Thirukkcoilur
25.	Sivankoil	Kandamangalam	Villupuram
26.	Rock Paintings	Kilvalai	Tirukkcoilur
5. Vajllalar District			
27.	Rudrapathi Temple	Kilakkadampur	Chidambaram
28.	Sivankoil	Ulagapuram	Vanur
29.	Vishnu Koil	Ulagapuram	Vanur
30.	Rock Paintings	Alampadi	Tirukkcoilur
6. Salem District			
31.	Rock Wells and Ancient Tamil Inscriptionstions	Periya Eripatti	Ommailur
7. Coimbatore District			
32.	Ancient Paintings	Vettaikkaranmalai	Narasimmapuram (Coimbatore)
8. Dharmapuri District			
33.	Athiyaman Peruvazhikal	Pakkirimedu	Dharmapuri
34.	Ramasamy - Krishnasamy Koil	Mallappadi	Knshnagin
9. Thiruchirappalli District			
35.	Swasthika wells	Thirunellarai	Lalkudi
36.	Erattaikkcoilr	Kilaiyur	Ariyalur
37.	Agastteswarar Koil	Pcrunkudi	Trichy
38.	Ancient Rock Paintings	Velayathampalayam	Karur
39.	Sivankoil	Alambakkam	Lalkudi
40.	Kalinga Sculptures	Chengamedu	Udayarpalayam
41.	Maligaimedu	Ulkottai	Udayarpalayam
42.	Sivankoil	Pazhur	Trichy
43.	Sivankoil	Alagiammanavalam	Lalkudi
10. Nagai Quaid-E-Milleth District			
44.	Dutch Fort	Tranquebar	Myladuthurai
45.	Dutch Tombs	Nagapattinam	Nagapattinam
11. Tanjore District			
46.	Sadayarkoil	Tiruchinnampoondi	
47.	Tanjore Palace	Tanjore	
48.	Nerkalanjiyami	Tirupalaikthurai	

49.	Manora	Sarabendrarajapat-tinam	
12. Madurai District			
50.	Tirumalai Naicker Palace	Madurai	Madurai
51.	Paththu Thoongal	Madurai	Madurai
52.	Sivan Koil	Arittapattai	Melur
53.	Udayagiriswararkoil	Varichur Malai (Kunnathur)	Madurai (North)
54.	Asthagirisvvararkoil	Varichur Malai (Kunnathur)	Madurai (North)
55.	Kalvettu Padukkaigal Varichur Malai Murugankoil	(Kunnathur)	Madurai (North)
56.	Kovalanpottal	Madaklam	Melur
57.	Sivankoil	Ayyapatti	Melur
58.	Thirumalai Naicker Mandapam	Velayappatti	Melur
59.	Ovamalai Kalvettu	Meenashipuram	Melur
60.	Brahmi Kalvettu	Kongarappuliangulam	Thirumangalam
61.	Thiruvadavur kalvettu	Thiruvadavur	Melur
62.	Karungalakkudi Kalvettu	Karungalakudi	Melur
63.	Ladan Koil Anaimalai	Madurai	
64.	Brahmi Kalvettugal	Anaimalai	Madurai
65.	Theerthangarar Sculptures	Anaimalai	Madurai
13. Dindugul - Anna District			
66.	Pandiyan Kalvettu Padakkai	Ramnad	Vedachandur
67.	Kugaikoil Chinna Ivarmalai Sculptures	Dhathanayakkanpatti	Palani
14. Ramanathapuram District			
68.	Ramalinga Vilasam	Surankottai	Ramnad
69.	Kattahomman Kottai	Kamudhi	Mudukulathur
15. Pasumpon Muthuramalinga Devar District			
70.	Marudupandiyar Fort	Aranmanai Siruvayal	Karaikudi
16. V.O. Chidambaranar District			
71.	British Tombs	Panchalankurichi	Ottapidaram

72.	British Tombs	Ottapidaram	Ottapidaram
73.	Kattabomman Fort	Panchalankurichi	Ottapidaram
74.	Bharathi's House	Ettayapuram	Kovilpatti
75.	Vettuvankoil	Kazhugumalai	Kovilpatti
17. Tirunelveli - Kattabomman District			
76.	Poola Udaiyar Kalvetu	Seevalapperi	Palayankottai
	Rajakkalmangalam		
77.	Sculptures (Iranyan Kudiyiruppu)	Rajakkalmangalam	Nanguneri
78.	Tiruneelakandam	Pandajadi	Ambasamudram