

# Manojkumar Pratapsinh Surati vs Ministry Of Environment Forest And ... on 31 May, 2021

**Author: Adarsh Kumar Goel**

**Bench: Adarsh Kumar Goel**

Item No. 04

(Pune Bench)

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

(By Video Conferencing)

Original Application No. 81/2020 (WZ)

Manoj Kumar Pratapsinh Surati & Ors.

Applicant(s)

Versus

Ministry of Environment, Forest &  
Climate Change & Ors.

Respondent(s)

Date of hearing: 31.05.2021

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Applicant(s): Mr. Sanam Kabre, Advocate

## ORDER

1. Challenge in this application is to the grant of lease vide order dated 28.01.2020 passed by the District Magistrate, Surat in favour of eighteen persons mentioned in the said order for shrimp farming. Case of the applicants is that the area in question is covered by mangroves (CRZ 1A). It is 'critically vulnerable coastal area' (CVCA) and permission for shrimp farming in such area will lead to illegal construction of Bund ponds and environmental degradation. It will also lead to destruction of mangroves eco-system. The farmers will not be able to graze their animals. Aqua-culture work will affect their livelihood. The area is in Village Tena in District Surat, Gujarat which is inter-tidal and part of Tena creek in CRZ area. The lease in question is in violation of observations of Hon'ble Supreme Court in S. Jagannath v. Union of India ((1997) 2 SCC 87) prohibiting commercial shrimp farming in ecologically fragile coastal areas, without environmental impact assessment.

2. Having regard to the averments in the application, we are of the opinion that the matter should be duly considered, in the first instance, by a joint Committee of Gujarat Coastal Zone Management Authority (GCZMA) and District Coastal Aquaculture Committee, Surat. The Committee may consider the impact of the activity in question on the environment and if it is found that the impugned order is having adverse impact on the environment, an appropriate remedial order may be passed, following due process of law.

The application is disposed of.

A copy of this order be forwarded to the GCZMA and the District Coastal Aquaculture, Surat by email for compliance.

Since the order is being without notice to the respondents, they are at liberty to move this Tribunal, if aggrieved.

Adarsh Kumar Goel, CP Sudhir Agarwal, JM M. Sathyanarayanan, JM Brijesh Sethi, JM Dr. Nagin Nanda, EM May 31, 2021 Original Application No. 81/2020 (WZ) SN