GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

RAJYA SABHA
UNSTARRED QUESTION NO. 855
TO BE ANSWERED ON 19.09.2020

New Wetlands (Conservation and Management) Rules, 2017

855. DR. SANTANU SEN:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

(a) whether Government has abdicated it's responsibility of protection of wetlands to States/UTs under Wetlands (Conservation and Management) Rules 2017, if so, the reasons therefor;
(b) the reasons why Government has ignored several directions from Supreme Court to notify stricter rules to protect country's wetlands;
(c) whether it is a fact that the new rules fail to cover 9.7 million hectares or sixty five per cent of the total area identified as wetlands, if so, the details thereof: and
(d) the reasons for not issuing directions to State/UT's for identification and protection of wetlands in a time bound manner?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI BABUL SUPRIYO)

(a) No Sir, for strengthening the conservation and management of wetlands in the country, the Ministry of Environment, Forest & Climate Change (MoEF&CC) in consultation with the States, Union Territories, Central line Ministries and other stakeholders, have decentralised certain aspects related to conservation and management of wetlands to state governments and UT administration by notifying the Wetlands (Conservation & Management) Rules, 2017. Vide these Rules, *inter alia*, the State/Union Territories (UT) Wetland Authorities have been constituted and powers for notification of wetlands have been delegated to the State Governments and UT Administrations. However, the National Wetlands Committee constituted under the Wetlands (Conservation & Management) Rules, 2017, *inter alia* is responsible for advising on appropriate policies and action programmes for conservation and wise use of wetlands and recommending trans-boundary wetlands for notification.

(b) The Hon'ble Supreme Court vide order dated 8th February, 2017 in the matter of M.K. Balakrishnan & Ors. Vs. Union of India & Ors. had *inter alia*, directed that the draft Wetlands (Conservation and Management) Rules, 2016 should be notified on or before 30thJune, 2017. Further, as requested by MoEF&CC, the Hon'ble Court vide order dated 16thAugust, 2017 had given time till 30th September, 2017 for finalization and notification of the said Rules. The direction of the Hon'ble Court has been duly complied

and the Wetland (Conservation & Management) Rules, 2017 were published on 26th September 2017.

(c) The Wetlands (Conservation & Management) Rules, 2017 define “wetland" as an area of marsh, fen, peatland or water; whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six meters, but does not include river channels, paddy fields, human-made water bodies/tanks specifically constructed for drinking water purposes and structures specifically constructed for aquaculture, salt production, recreation and irrigation purposes.

While notification of wetlands under Wetland (Conservation and Management) Rules, 2017 exempts certain types of wetland from notification, the mandate of conservation is applicable to all wetlands of the country.

(d) Rule 5 and 7 of the Wetlands (Conservation & Management) Rules, 2017 provides a thorough mechanism for identification and protection of wetlands by the States/UTs and specifies timelines for the same. In order to facilitate the States/UTs in implementation of these Rules, Guidelines have also been issued. Further, during the last 3 years, MoEF&CC has executed 14 Regional and 5 National level workshops for technical handholding of wetland managers & stakeholders.

*****