Wetlands Rules, 2017

Why in news?

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The Ministry of Environment, Forests and Climate Change has recently notified the Wetlands Rules, 2017.

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What are the notable provisions?

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- **Definition** - Wetlands are defined as an area of marsh, fen, peatland or water.
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- It could be natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt.
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- It includes areas of marine water the depth of which at low tide does not exceed six metres.
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- The rules apply to:
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i. wetlands categorised as “wetlands of international importance” under the Ramsar Convention.
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ii. wetlands as notified by the central and state governments and UT administration.
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- **Management** - The new Rules farm out wetland management to states and union territories.
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- The State or UT Wetlands Authority will have to prepare a list of all wetlands and a list of wetlands to be notified, within specified time.
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- However, it is up to the states to decide which wetlands are to be notified.
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- A comprehensive digital inventory of all wetlands is to be prepared within a year.
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- **CWRA** - The new riles have done away with the earlier Central Wetlands Regulatory Authority (CWRA) entirely.
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- CWRA has been replaced by the National Wetland Committee, which has a merely advisory role. These include -
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i. advising the central government on proposals received from states/UTs for “omission of the prohibited activities”.
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ii. prescribing norms and guidelines for integrated management of wetlands based on wise-use principle.
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iii. recommending trans-boundary wetlands for notification.
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iv. reviewing the progress of integrated management of Ramsar Convention sites.
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- **Restrictions** - As per the new rules, encroachments on wetlands have been banned.
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- It also prohibits solid waste dumping, discharge of untreated waste and effluents from industries and human settlements.
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- It says that conservation and management would be based on the principle of ‘wise use’, which is to be determined by the Wetlands Authority.
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What are the shortfalls?

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- **Definition** - The 2010 Rules included in the definition of wetlands all inland waters such as lakes, reservoir, tanks, backwaters, lagoon, creeks, estuaries, etc.
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- It also included man-made wetland and the zone of direct influence on wetlands.
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- However, the 2017 Rules are not as comprehensive as this.
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- It does not include river channels, paddy fields, human-made water bodies/tanks specifically for drinking water purposes, aquaculture, salt production, recreation and irrigation purposes.
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- It also do not include wetlands under forest and coastal regulation zones..
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- **Management** - There were lethargic response from states and UTs, in the past, on wetlands protection.
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- So devolving management to states and UTs could be ineffective
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- **Restrictions** - The term ‘wise use’ is subjective and could dilute the earlier restrictions.
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- There is also no timeline specified for phasing out solid waste and untreated waste from being dumped into wetlands.
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- The restrictions on “any other activity likely to have an adverse impact on the ecosystem of the wetland”, are not specified clearly in the Rules.
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- **Appeal** – The older provision of appealing to the National Green Tribunal does not exist in the 2017 Rules.
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Source: The Indian Express

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