The Wetlands Jurisprudence In India: A Case Study Of The West Bengal Conservation And Management Of Wetlands And Water Bodies Policy 2012

Dr. Raju KD*

Rajiv Gandhi School of Intellectual Property Law, IIT Kharagpur
India - 721302
kdraju@rgsoipl.iitkgp.ernet.in

ABSTRACT

Recently the High Court of Kolkata directed the West Bengal Government, India to formulate a Wetland and Water Bodies policy in response to a Public Interest Litigation (PIL) filed by the Forum for Human, Legal and Ecological Rights, Bansdroni & Another v. The Union of India and Others, against Writ Petition No.606 of 2011. The petitioners argued that India is a signatory to the Ramsar Convention, a global environmental treaty which is specifically meant for the protection of wetlands. Hence, the state government has an obligation to implement the provisions of the agreement at state in order to protect the wetlands. The State appointed a High Powered Committee to draft a policy and a law for the protection of Wetlands in the State in accordance with the High Court order. The present paper discusses a state’s obligation to implement an international convention at domestic level in a Federal System. The environmental jurisprudence emerged thorough a series of cases will be examined. Local approaches to wetland protection will be discussed and the draft West Bengal Policy, 2012 will be presented as a case study.

Key Words: Wetlands, environmental protection, water bodies, West Bengal, India.

* B.Sc, LL.M (MGU), M.Phil, Ph.D (JNU), Fulbright Scholar, Outstanding Microsoft Young Faculty Scholar, Member, Wetland Drafting Policy Committee & High Powered Committee on Wetlands appointed by the State of West Bengal. Presently, Faculty of Law at Rajiv Gandhi School of IP Law, IIT Kharagpur and he also teaches Water Law and Governance course in the School of Water Resources. E-mail: rajukd@gmail.com.

1. Introduction

Wetlands have been identified as one of the key life support systems on this planet in concerned with agricultural lands and forests. They are a vital element of national and global ecosystems and economies (Senaratna Sellamuttu 2011). Wetlands are important natural resources and critical for biodiversity of any country. They are significant in environmental functions and important in food chain (Rouvalis 1998). Each wetland is an ecosystem with plants, animals and depends on each other. The role of wetlands has emerged as a key element in the delivery of inland freshwater and coastal ecosystem conservation through the Convention on Biological Diversity, 1992 and Ramsar Convention on Wetlands, 1971.
Wetlands are being an unseen storehouse of nature’s bounty and a gift of nature to mankind which act as regulators and reservoirs for rivers. But the area of wetlands has been declining in every country due to invasion of the population and exploitation of natural resources which are non-environmental friendly (Smoktonowicz Andrea B. 2005). People think that wetlands are unproductive areas free for filling and use of developmental needs (Kilborn 1991). Their ecological and economic functions are undermined for the last decades. The pollutant discharges, land filling, overpopulation and unrestricted exploitation of wetland resources are threatening the very existence of these environmentally fragile habitats (Squillace 2007). The Ramsar Convention is a concerted effort of nations to protect these identified areas based on the principle of "wise use" of resources. Presently it covers 2055 protected sites all over the world which covers 193,829,387 hectares of land.

**Figure-1 - Wetland Distribution under the Ramsar Convention**

![Wetland Distribution under the Ramsar Convention](image)

*Source: Compiled by the Author from Ramsar Site List as of 21 September 2012.*

In India, there are lot of freshwater resources comprises of rivers, ground water and wetlands. Wetlands consist of lakes, saline wetland of arid and semi-arid regions, coastal wetlands, back waters, mangrove swamps, coral reefs and marine wetlands (Prasad & et al. 2002). Wetland in India which provides a unique habitat to aquatic flora and fauna as well as numerous birds includes migratory species. It is estimated that presently India has only 25 protected wetlands under the Ramsar list comprising 677,131 hectares of aquatic biodiversity. India is a vast country and has potential to register a large number of wetlands throughout the country. An analysis of the notified wetlands under the Ramsar Convention (above 20 numbers) is shown in Figure – I. The figure shows that India is one of the countries with less number of notified wetlands under the international Convention.

---

1. People United for Better Living In ... v. State of West Bengal And Others, AIR 1993 Cal 215, 97 CWN 142, para.9.
2. The Ramsar Convention is the only global environmental treaty that deals with wetlands. Convention on Wetlands of International Importance especially as Waterfowl Habitat. The treaty was adopted in the Iranian city of Ramsar in 1971 and the Convention's member countries cover all geographic regions of the planet and the present membership is 163. UN Treaty Series No. 14583. As amended by the Paris Protocol, 3 December 1982, and Regina Amendments, 28 May 1987.
3. Wise use is defined as “sustainable utilization for the benefit of mankind in a way compatible with the maintenance of the natural properties of the ecosystem” under the Ramsar Convention.
According to the Indian Space Research Organisation’s (ISRO) mapping study, there are more than 10 million hectares of wetland in the country, around 3 per cent of the geographical area of the country. “State wise distribution of wetlands showed that Lakshadweep has 96.12 per cent of geographic area under wetlands followed by Andaman and Nicobar Islands (18.52 per cent), Daman and Diu (18.46 per cent) and Gujarat (17.56 per cent) have highest extent of wetlands. Puducherry (12.88 per cent), West Bengal (12.48 per cent), Assam (9.74 per cent) are wetland-rich States. In the states like Mizoram, Haryana, Delhi Sikkim, Nagaland and Meghalaya the extents of wetland is less than 1.5 per cent”.

The introductory part of this paper gives an overview of wetlands in the world vis-à-vis in the country and states in particular. The second part of this paper gives the standard definition in the Ramsar Convention, Indian Wetland Rules 2010 and the definition in the first state law, The Kerala Conservation of Paddy Land and Wetland Act, 2008. The third part of this study analyzes the obligation of States to implement the treaty obligation of the Union under the Indian Constitution and other legislations available in the country which can be used for the protection of wetlands. The fourth part examines the judicial decisions in the country for the protection of environment and wetlands in particular. The fifth part gives a layout of the West Bengal Wetlands and Water Bodies Policy 2012. The study concludes and argues for a federal law to guide the states and clear policy and legislative measures are required at the domestic level for the protection of wetlands at every state of India.

2. Definition of Wetland

Wetlands are defined differently by countries in their domestic legislations (MoEF 2009). Most of the countries are given narrow interpretation to the definition in order to limit the ambit and scope of protection to wetlands. According to most widespread definition wetlands are defined as: "lands transitional between terrestrial and aquatic eco-systems where the water table is usually at or near the surface or the land is covered by shallow water". There are 163 contracting parties to the Ramsar Convention. But there is no sufficient legislative protection available in many countries to protect wetlands. The non-protection of wetlands is mainly attributed to its categorisation in legislations differently from one country to another country.

Under the Ramsar Convention on Wetlands, "wetlands" are defined in Articles 1.1 and 2.1 as shown below:

Article 1.1:
“For the purpose of this Convention wetlands are areas 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 metres.”

Article 2.1 provides that wetlands:

---

“may incorporate riparian and coastal zones adjacent to the wetlands, and islands or bodies of marine water deeper than six metres at low tide lying within the wetlands.”

The Indian definition is as follows:

“‘wetland’ means an area or of marsh, fen, peatland or water; 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 and includes all inland waters such as lakes, reservoir, tanks, backwaters, lagoon, creeks, estuaries and manmade wetland and zone of direct influence on wetlands that is to say the drainage area or catchment region of the wetlands as determined by the authority but does not include main river channels, paddy fields and the coastal wetland covered under the notification of the Government of India in the Ministry of environment and Forest, S.O. number 114 (E) dated the 19th February, 1991.”

Wetlands are the areas that have acquired special characteristics from being wet on a regular or semi-regular basis. Indian definition is much wider than what the Ramsar Convention provides for. The Kerala Conservation of Paddy land and Wetland Act, 2008 defines wetland in Section 2(XVII) as:

“wetland” means land lying between terrestrial and aquatic systems, where the water table is usually at or near the surface or which is covered by shallow water or characterized by the presence of sluggishly moving or standing water, saturating the soil with water and includes backwaters, estuary, fens, lagoon, mangroves, marshes, salt marsh and swamp forests but does not include paddy lands and rivers.

There is a mismatch between the Ramsar definition and various Indian definitions available in different legislations in India.

3. Indian law and Implementation of an International Convention at Domestic Level

In the early years of independence there was no precise policy on environment protection in India. Even the Indian Constitution, when originally adopted, had no specific provision on environment protection or even a direct reference to the expression “environment”. The Indian Forest Act, 1927 was the most comprehensive, effective and oldest piece of legislation enacted at the time when environmental problems had not assumed threatening dimensions as they have today.

The Constitution (42nd Amendment) Act, 1976 marked the beginning of a new milestone in the history of environmental protection in India. Article 48A requires that “The State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country”. Art. 51-A (g) provides that, “it shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.” These two Articles direct the State and the citizens the duty not only to adopt protective measures, but also take steps to improve the already polluted environment and to preserve and safeguard the forests, flora and fauna.

12 Kerala is the first state in India to legislate a law on wetlands in India in 2008.
The three lists - Union, State and Concurrent Lists do not clearly mention as to who will legislate for matters relating to the wetlands. Although the State List consists of a number of items like public health and sanitation, agriculture, water-supply, irrigation and drainage and fisheries, the Union List is apparently without a mention of the environment. Yet, the Article 253 empowers the Parliament to legislate for any residual matter and to implement international obligations and decisions taken at the international conference, association etc. Forestry as a subject finds mention specifically in the Concurrent List. In the Constitution, water is a matter included in Entry 17 of List-II i.e. State List. The wetlands are mostly considered as water bodies and come under the State List and States have the exclusive jurisdiction pass legislations upon wetlands in the federal system of India.

The Supreme Court of India (SC) in *State of West Bengal v. Union of India*\(^\text{13}\) considered the question of State and Union powers to legislate upon subjects and held that:

The Constitution of India is not truly Federal in character. The basis of distribution of powers between the Union and States is that only those powers which are concerned with the regulation of local problems are vested in the States and the residue specially those which tend to maintain the economic industrial and commercial unity of the country are left to the Union…Even if the Constitution were held to be a Federation and the States regarded qua the Union as sovereign, the power of the Union to legislate in respect of the property situate in the States would remain unrestricted.

The SC considered the question of repugnancy between state law and Union law in *M. Karunanidhi v. Union of India*,\(^\text{14}\) it was held that “Where a law passed by the State Legislature while being substantially within the scope of the entries in the State List entrenches upon any of the Entries in the Central List the constitutionality of the law may be upheld by invoking the doctrine of pith and substance if on an analysis of the provisions of the Act it appears that by and large the law falls within the four corners of the State List and entrenchment, if any, is purely incidental or inconsequential.”

Entry 56 of List I of Seventh Schedule provides that "Regulation and development of inter-State rivers and river valleys to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest". Only the inter-state river disputes are under the purview of the Union Government under Article 262 of the Constitution.

The power of the state Government to legislate upon matters in Part III is subject to the Union legislations. If there is a repugnancy between State law and Union law, Union law will prevail over the state law to the extent of repugnancy be void according to Article 254 of the Constitution. This position was confirmed by the SC in *Zameer Ahmed Latifur Rehman Sheikh v. State of Maharashtra and Ors.*\(^\text{15}\)

It can be concluded that states have exclusive jurisdiction over the subjects in List II which prevents the Union from making any unified policy on wetlands. Hence, there is an urgent need of shifting water and agriculture from List II to List III of the Seventh Schedule of the Constitution.

---

\(^\text{13}\) 1963 AIR 1241, 1964 SCR (1) 371.
Article 51C of the Constitution provides that “foster respect for International Law and Treaty obligations in the dealings of organized people with one another.” Article 253 of the Constitution further provides that “Not withstanding anything in the foregoing provisions of this Chapter, Parliament has power to make any law for the whole or any part of the Territory of India for implementing any treaty, agreement or convention with any other country or countries or any decision made at any International Conference, Association or Other body.” Reading these two provisions of the Constitution together makes it clear that Indian Parliament has the power to legislate upon to implement any treaty obligation of the country. These positions were widely discussed by the Indian judiciary in many cases and come to the conclusion that “The positive commitment of the State parties ignites legislative action at home but does not automatically make the covenant an enforceable part of the Corpus Juris of India.” It can be concluded that so far the Union is not enacted a full-fledged law to implement the Ramsar Convention at municipal level mainly due to the constraint under the Constitution. But the Constitutional provisions, Article 51C read with 253 empowers the Central Government to legislate upon issues related to the implementation of any treaty provisions committed by the Union. Once the Union is obliged under international law, its constituent parts, the states are also bound by the international law. Hence, it is the duty of every state to pass appropriate legislations to protect wetlands in their state.

The Government of India notified the Wetlands (Conservation and Management) Rules 2010 under Section 25 read with Section 3 of the Environment (Protection) Act, 1986. Other legislations can also be used for the protection of wetlands in the country. Some of them are as follows:

- Wildlife (Protection) Act - 1972
- Water (Prevention and Control of Pollution) Rules 1975.
- Territorial Water, Continental Shelf, Exclusive Economic Zone and other Marine Zones Act - 1976
- Forest (Conservation Act) – 1980
- Maritime Zone of India (Regulation and fishing by foreign vessels) Act - 1980
- Air (Prevention and Control of Pollution) Act - 1981
- Environmental (Protection) Act – 1986
- Water (Prevention and Control of Pollution) Cess (Amendment) Act, 1991
- Biological Diversity Act, 2002
- Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006

Apart from the above mentioned Acts, policies and rules, National Environment Tribunal Act of 1995 and National Environment Appellate Authority Act of 1997 have also been enacted. Of late the Union Government has reviewed the National Water Policy 2002 and put in the public domain the revised draft Water Policy 2012 in which the importance of judicious use of water resources, dangers of over-withdrawal of groundwater, the

---

advantages of in-situ conservation of rainwater, control of runoff and importance of pressure irrigation systems in water conservation have been emphasised. It is important to note that West Bengal has no water policy till date.

4. Judicial Decisions on Environmental Protection in India

There is rich environmental protection jurisprudence available in the country through a series of decisions by various High Courts and the Supreme Court of India. In one of the early cases from the Calcutta High Court in 1992, Honble J. U.C. Banerjee in *People United for Better Living In ... v. State of West Bengal And Others,*17 held that “in a developing country like India, there shall have to be development, but that development shall have to be in closest possible harmony with the environment, as otherwise there would be development but no environment, which would result in total devastation, though, however, may not be felt in present but at some future point of time, but then it would be too late in the day, however, to control and improve the environment.” It was pointed out that there must be a balance between the developmental activities and the environmental protection. The present case was with regard to the protection of wetlands in the eastern fringes of the city of Calcutta which was declared as a Ramsar site. The Court decided the case in favour of the petitioner by staying all developmental activities at the sites.

The Court held that:

“Wetland acts as a benefactor to the society and there cannot be any manner of doubt in regard thereto and as such encroachment thereof would be detrimental to the society which the Law Courts cannot permit. This benefit to the society cannot be weighed on mathematical nicety so as to take note of the requirement of the society - what is required today may not be a relevant consideration in the immediate future, therefore, it cannot really be assessed to what amount of nature's bounty is required for the proper maintenance of environmental equilibrium..”

The importance of maintaining the ecosystem is aptly explained by the court in this case and later on and still now this Judgment was considered as a milestone in the interpretation of statutes and in the wetland protection.

In *M.C. Mehta v. Kamal Nath,*18 the SC confirmed the above proposition and also invoked the Roman and English common law principle of “Public trust doctrine.” The court pointed out that “Thus, the public trust is more than an affirmation of State power to use public property for public purposes. It is an affirmation of the duty of the State to protect the people’s common heritage of streams, lakes, marshlands and tidelands, surrendering that right of protection only in rate cases when the abandonment of that right is consistent with the purposes of the trust .....”. Thus the “Public trust doctrine” is now a part of the law of the land through this decision. The Court also ordered the Motel to pay compensation by way of cost for the restitution of the environment and ecology of the area.

The SC again in *M.C. Mehta v. Union the of India (Taj Mahal Case),*19 held that the development of industry is essential for the economy of the country, but at the same time

---

17 AIR 1993 Cal. 215, 97 CWN 142.
18 Writ Petition (C) No. 182 of 1996.
the environment and the ecosystems have to be protected. The above position was confirmed in *Bombay Dyeing & Mfg. Co. Ltd. v. Bombay Environmental Action Group*. Court held that treating the principle of sustainable development as a fundamental concept of Indian Law, it was opined that the development of the doctrine of sustainable development indeed is a welcome feature but while emphasizing the need of ecological impact, a delicate balance between it and the necessity for development must be struck. Whereas it is not possible to ignore intergenerational interest, it is also not possible to ignore the dire need which the society urgently requires. The two essential feature of sustainable development are the precautionary principle and the polluter pays principle. In accordance with the above judgments, Calcutta High Court in *People United for Better Living In ... v. East Kolkata Wetlands Management Authority*, the High Court allowed construction of a water treatment plant in the East Kolkata Wetland Area, a declared Ramsar Convention site under the East Kolkata Wetlands (Conservation and Management) Act, 2006. Further the court appointed a monitoring committee and ordered to do the construction in a most eco-friendly manner and remedial measures in the vicinity of the area. These Judgments should be seen in the background of developmental needs of the developing countries without hurting the environment.

In a direct wetland involved case from the State of Tamilnadu, in *M.Indira and 55 Others v. State of Tamilnadu*, the petitioners questioned the de-notification of 317 hectares of the Marsh land (swamp) near Pallikaranai, 20 KM south of Chennai, under the Tamilnadu Forest Act, 1882 and Forest (Conservation) Act, 1980 by the Government. Government of Tamilnadu argued that originally 5000 hectares of wetland reduced to 500 hectares in a period of time and it is the duty of the state to protect the wetland which was included by the Government of India under the National Wetland Conservation Programme. The Court declared that the Government can declare any land under the Forest Act against deforestation and environmental protection and affirmed the decision of the state government. In this case, it is interesting to note that there is no special legislation to protect wetlands in Tamilnadu. But the State found the Forest Act is appropriate to invoke the protection of the wetland in this case. Absence of specific laws is an impediment to protect wetlands in States. This case substantiates the argument that there must be a Union law on wetlands to be followed by the states for the protection of wetlands in India, especially, in the urban cities. It is the usual definition of this kind of government land as “puramboke,” meaning-excess waste land, according to land records and later on “pattas” (ownership rights) will be issued to the occupants in a period of time. This is mainly due to the lack of a uniform definition of wetland in the land laws of India.

5. A Wetland Policy and Law in Making: State of West Bengal a Case Study

5.1 Background

The seriousness of the continuing loss of wetlands in West Bengal demands a new approach to wetland management in the State in accordance with the Wetlands.
Conservation and Management Rules 2010 under the Environment (Protection) Act 1986. A major portion of the wetland area in the State has been converted from its natural state to support alternative land uses including agriculture, urbanisation, industry, and recreational pursuits. In the city, it was around 20000 acres of wetland was there in the 1980s and more than 10000 acres were reclaimed for the satellite city development of Salt Lake. The East Kolkata Wetlands are around 9000 acres towards the east. Wetlands have also been degraded by land use practices that have resulted in vegetation destruction, nutrient and toxin loading, sedimentation, turbidity, and altered flow regimes. Dredging, intensive aquaculture, logging and other activities have also affected the natural balance of wetlands in the State. High level of arsenic content is a typical problem in the State. 24

West Bengal has a variety of wetlands ranging from coastal and marine wetlands to inland freshwater lakes, rivers, dams and swamps as well as the constructed wetlands in irrigation schemes and sewerage treatment systems and also the mountain wetlands. In the State, the only Ramsar site is the East Kolkata Wetlands. The Ahiron Bil in Murshidabad and the Rasik Bil in Koch Bihar have been identified as Wetlands of National Importance under the National Wetland Conservation Programme. The Sundarbans National Park is a World Heritage Site and a biosphere reserve. A wide variety of wetlands are found in the State including the freshwater inland wetlands like mountain wetlands, rivers and lakes, marshes and swamps and also coastal wetlands like mangroves, tidal flats, swamps etc. Numerous human-made wetlands in the State include fish and shrimp ponds, farm ponds, irrigated agricultural land, reservoirs, borrow pits, sewage farms, and canals. Innumerable small water bodies dot the landscape of the State, most of which are manmade.

In West Bengal, it was with the enactment of the West Bengal Inland Fisheries Act, 1984 (amended in 1993), that environmental concerns regarding water bodies became a part of the policy. Some other relevant statutes are:

- West Bengal Inland Fisheries (Amendment) Act, 1993.
- The West Bengal Land Reforms (Amendment) Act, 2005
- West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006

5.3 Objectives of the Policy

- Manage wetlands in an ecologically sustainable way and with wider community participation and management.
- Establish an effective and efficient institutional and legal framework for integrated management and wise use of wetlands which will provide an enabling environment for the participation of all stakeholders.
- Promote communication, education and public awareness among stakeholders to enhance their appreciation and participation in wetland conservation.

24 The author used widely excerpts from the West Bengal Wetlands and Water Bodies Policy 2012 prepared by the author for the State of West Bengal in India with due acknowledgement of the contributions made by other Members of the High Power Committee.
- Establish a State wetlands information management system and database including tools and packages available to targeted groups.
- Promote innovative planning and integrated management approaches towards wetlands conservation and management in West Bengal.

5.4 Highlights of the Policy, Programmes and Strategies

There are number of legislative and policy instruments impact on wetland management, a separate policy framework is desirable in view of the specific threats these ecosystems face and their potentials for sustainable management. The highlights of the policy are as follows:

1. Adopted the Ramsar Convention definition of wetland.
2. Policy direction adopts a participatory and community-based approach to ensure conservation and wise use of wetlands and water bodies. It promotes public awareness and understanding of the wetland resource in the State and actively encourages participation of the community, including Indigenous tribes, other private landholders, the business sector and non-government organizations in achieving the goal of this Policy.
3. Wetland inventory, assessment and monitoring on the basis of District land records.
4. Classification of wetlands according to Ramsar Convention: Class A and Class B Wetland include wetlands within protected areas and outside the protected areas.
5. Assessment of the benefits of wetland by mapping and using GIS as an effective tool in understanding the spatial distribution of wetland resources.
6. Management action plan for each site.
7. Institutional development - Establishment of hierarchical institutional arrangement comprising wetland experts, scientists, administrative personnel, wetland users, active NGOs for achieving wetland conservation and protection. Local level Wetland Management and Appraisal Committees to be established under the provisions of the proposed Act in accordance with this policy.
8. Acquisition and restoration of degraded wetlands in the state.
9. Creation of awareness, capacity building and training programmes - This evolves through public awareness initiatives that develop a better understanding of the values, functions and benefits of wetlands and the consequences of continuing wetland loss.
10. Promotion of wetland science and management and data bank creation and management.
11. Cross sectoral linkages and international co-operation.
12. Conservation activities in PPP (Public Private Participation) mode - The corporates can take the conservation of wetlands at the local level as a part of their Corporate Social Responsibility (CSR). The state should facilitate such activities by providing incentives like special tax deductions for environmental activities and it should be part of the policy.
13. Sustainable wetland linked eco-tourism for economic and community development. Decision makers need to learn the importance of wetland issues, the close relationship between conservation and sustainable economic development, and how to apply ecological understanding to resource planning and management.
6. Conclusions

The Indian government is unable to make a common policy and law on wetlands due to Constitutional barriers and constraints. Hence, India is not fully able to protect the wetlands in the country, even though she is a party to Ramsar Convention on wetlands. There are more than 2000 wetlands identified in the country out of which only 94 are under the National Wetland Conservation Programme of the Ministry of Environment and Forests and there is no other national programme covering all wetlands in India. Only one state (Kerala) passed legislation to protect wetlands and State of West Bengal is in the process of enacting a law. The jurisprudence reveals that public interest litigations play an active role in the management of wetlands and court decisions are fully in favour of the letter and spirit of Ramsar Convention and protecting wetlands in the country. India should come out of the shell and propose a uniform wetland policy all over the country and a central legislation is necessary to support this policy. The land laws of the country should also include wetlands protection provisions. The developmental needs and wetland protection are two sides of the same coin and both are important for the sustainable development of the developing countries like India. State approaches are more effective, but it should be under the common platform and under common policy, thus the disparities in definition and provisions can be avoided. In short, wetlands protection lacks a strong legislative framework in India.

Reference


