

IMPORTANT



GOVERNMENT OF KERALA
Environment (A) Department

No.A2/240/2016/Envt.

Thiruvananthapuram,
Dated: 08/03/2017.

From
Additional Chief Secretary to Government.

To
The Chief Executive Officer,
State Wetland Authority Kerala,
Pallimukku, Pettah P.O,
Thiruvananthapuram.

Sir,

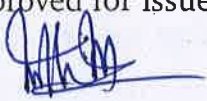
Sub: Environment Department -State Wetland Authority Kerala --
Governing Body meeting held on 15.02.2017 - Minutes
forwarding of - Reg.

Ref: 1) Your letter no. SWAK/A1/1/17 dated 17/02/2017.
2) Minutes of the meeting held on 15/02/2017.

I am directed to invite your attention to the reference cited and to forward herewith the approved minutes of the State Wetland Authority Kerala Governing Body meeting held on 15/02/2017 for necessary action.

Yours faithfully,
JANCY P.S.
Under Secretary
for Additional Chief Secretary to Government

Approved for issue,


Section Officer

**MINUTES OF THE MEETING OF THE GOVERNING BODY OF
THE STATE WETLAND AUTHORITY KERALA (SWAK) HELD ON
15.02.2017 IN THE CHIEF MINISTER'S CONFERENCE HALL,
GOVERNMENT SECRETARIAT**

The meeting started at 3.50 PM with Sri. Pinarayi Vijayan, Hon'ble Chief Minister of Kerala in the chair. The following members were present:

1. Shri. V.S.Senthil IAS, Additional Chief Secretary (Environment)
2. Shri. V. J. Kurian, Additional Chief Secretary (Water Resource Department)
3. Shri. Raju Narayana Swamy, APC& Principal Secretary (Agriculture Department)
4. Shri. T. K. Jose, Principal Secretary (LSGD)
5. Dr.Suresh Das, Principal Secretary (S&T Department)
6. Smt. B.G. Sreedevi, Expert Member- Pollution control
7. Dr.Beena.K., Expert Member- Limnology
8. Shri. S. Jain Mithra, Expert Member- Hydrology
9. Dr.S.Anilkumar., Expert Member- Biodiversity
10. Dr.Rajesh .R., Expert Member- Ecology

The Additional Chief Secretary (Environment) explained about the functions of Governing Body and stressed the need to resolve the gaps in the constitution by making changes as per the approval of the Governing Body.

Approval of the minutes of the meeting held on 09-03-2016.

1. The fund for the preliminary activities of SWAK shall be raised by re-appropriation from unspent money in the Budget Head of Directorate of Environment & Climate Change.
2. Sri S. Jane Mithra, Member (Hydrology) was entrusted to take action on large scale mapping of wetlands.

3. Though a logo came up for consideration, it was decided to finalize it in the next meeting after modification.

Decision taken

Approved

Agenda No - II

Action taken on the Decisions taken on the last GB meeting held on 9-03-2016.

Item	Action Taken
The fund for the preliminary activities of SWAK shall be raised by re-appropriation from unspent money in the Budget Head of Directorate of Environment & Climate Change.	A new budget head "3435-60-800-96-Plan" was opened in the memorandum of alteration to the original Budget Estimates, with a token provision for the year 2016-17 to incur expenditure in connection with functioning of SWAK.
Sri S. Jane Mithra, Member (Hydrology) was entrusted to take action on large scale mapping of wetlands.	Wetland mapping by Sri. S. Jane Mithra, Member (Hydrology) is in progress. An interim report has been submitted to government on October 2016.

Though a logo came up for consideration, it was decided to finalize it in the next meeting after modification.

NATPAC has submitted a new logo for SWAK.

Decision taken

Noted.

Agenda No-III

Functions of SWAK

In the Advisory issued by the MoEF&CC on 14th March 2014, the wetland authorities constituted at the State level need to be mandated with the tasks of policy development, implementing regulatory frameworks, integrated management planning and implementation, capacity building, research, networking, communication and awareness and raising funds for wetland management. To ensure inter-sectoral co-ordination and priority in policy processes, the authority is to be chaired by the Chief Minister and a Steering Committee to be constituted under Chief Secretary. The authority (SWAK) and the steering committee are already constituted. The Authority is expected to raising financial resources from Corporate Social Responsibility of private industries.

At present the Wetland Conservation and Management Rules - 2010 is in operation and the Draft Wetland Rules-2016 issued by the Government of India is put in public domain for comments. Hence, until the finalization and operation of the Wetland Conservation and Management Rules -2016, the SWAK is expected to perform the functions as given in the advisory of Ministry of Forest, Environment and Climate Change and to conserve and protect Wetlands and send proposals to Ministry of Forest, Environment for notification

of the selected wetlands. The Regulatory functions would devolve subsequent to the implementation of the Wetland Conservation and Management Rules -2016

Decision taken

The Steering Committee already constituted with Chief Secretary as Chairman in 2013 to continue and it was resolved that the Chief Secretary should be a member of the Governing Body.

Agenda No – IV

Appointment of CEO and Functioning of SWAK

Kerala State Government has appointed Director, Environment & Climate Change as Chief Executive Officer (CEO) of SWAK on 01.09.2016, vide G.O (Rt) No. 07 / 2016 / Evt. and entrusted to make necessary arrangements for the functioning of SWAK in the premises of DoECC

Decision taken

Noted

Agenda No - V

Duties and Responsibilities of CEO, SWAK

As per Section 7(4) of the Bye Laws, Rules & Regulations of SWAK, the Chief Executive Officer (CEO) /Executive Director (ED) shall mean the individual / personal appointed by State Government as CEO/ED of the society. As per Section 16, of the Bye Laws, Rules & Regulations of SWAK, the meeting of the Governing Body shall be convened by the Convener (Secretary, Environment) as per the direction of the Chairperson (Minister of Environment.) The Convener shall keep minutes of the Governing Council/Body meetings (Convener of SWAK is the Principal Secretary, Environment). Subsequently in Section 40 of the Bye Laws, Rules & Regulations of SWAK, the Rights, Duties and Responsibilities of the CEO / ED of SWAK have been laid down. They are as follows:

- a. To be responsible for day to day administration of the authority

- b. To issue notice for all meetings of the Governing Council / Body and Executive Committee.
- c. To sign all documents, deeds and correspondence of the Authority on behalf of the Chairman / Governing Council / Body of the authority.
- d. To maintain all records of the Authority.
- e. To make all disbursements and receive all money for and on behalf of the Authority.
- f. To maintain proper books of Accounts
- g. To purchase all such articles, stationary, materials and equipments as may be necessary for the Authority for its day to day work.

Since the Roles of the CEO are overlapping with the Roles of the Convener as per Section-16 of the Bye Laws, Rules & Regulations of SWAK. The Section-16 of the Bye Laws, Rules & Regulations of SWAK detailing the Duties and Responsibilities of the Convener should be replaced as Duties and Responsibilities of CEO or this clause may be merged with Section-40 of the Bye Laws, Rules & Regulations of SWAK.

Decision taken

It was resolved to make the necessary amendments to the byelaws proposed. It was also resolved to make amendments to constitute a Steering Committee on the lines suggested by Govt. of India as provided in other State Wetland Authorities like Odisha.

Agenda No - VI

Preparation of Proposals based on MAPs / DPRs for Obtaining Funds

Directorate of Environment and Climate Change has undertaken studies and preparations of Detail Project Reports (DPRs) and Management Action Plans (MAPs) for wetlands as a part of the Annual Plans.

Centre for Water Resources Development and Management (CWRDM) was entrusted in 2015 with the preparation of DPRs of 10 identified wetlands

(Sasthamkotta and Vellayani in the first phase, and 8 other identified wetlands subsequently, namely Kadalundi, Kottuli, Pookode, Kawwai, Kattampalli, Purathur estuary / Ponnani estuary, Chetwai Kayal and Paravur Kayal). DPRs for Sasthamkotta, Asthamudi, Kadalundi, Kottuli and Pookode have already been completed. DPRs of rest five wetlands are in progress and will be completed by early 2018.

Wetland International was entrusted in 2013 with the preparation of Integrated Management Plan (IMP's) of Sasthamkotta and Ashtamudi Wetlands, using the base line data of CWRDM. The IMP's were submitted in January 2017.

As per the State of Environment Report-2007, prepared by Science and Technology Council, 34 wetlands were identified in the state of Kerala (Backwaters / Estuaries -09, Freshwater lakes -07, Reservoir – 05, Mangroves Ecosystems – 11 and other- 02). Subsequently preparation of Inventory of wetlands of Kerala was entrusted by the DoECC to NCESS with the support of KFRI and CWRDM. Inventory of 150 Wetlands have been mapped.

Preparation of Integrated Management Planning frame work document on conservation & wise use of Vembanad – Kol was entrusted to Wetland International in 2013, with the funding support of Ministry of Forest, Environment and Climate Change. Wetland international has submitted the report to MoEFCC with a copy to DoECC.

Decision taken

DPRs/IMPs prepared by various agencies will be presented before Steering Committee headed by Chief Secretary for consideration, scrutiny and for submitting to Govt of India for financial assistance.

Agenda No – VII

Status of the Central Assistance Received

Ministry of Forest, Environment and Climate Change has been providing assistance for undertaking conservation activities of wetlands in the state right from 2001. MoEF&CC released Rs 97.192 Lakh and Rs 53.08 Lakh in the year 2001 for undertaking various conservation activities in Asthamudi and Sasthamkotta respectively. The implementing agency was KSCSTE which entrusted the works to CWRDM. Utilisation Certificate for Rs 4.52 Lakh for Asthamudi and Rs 1.12 Lakh for Sasthamkotta has not been sent to the Government of India even after 15 years of implementation of the project.

For Kottuli Wetland, a conservation activity Rs 60 Lakh was released in 2004 to KSCSTE Department. UC for Rs 2.58 Lakh is yet to be submitted to the Government of India. The implementing agency was KSCSTE which entrusted the work to CWRDM.

Ministry of Forest, Environment and Climate Change in 2005, sanctioned the project for environment regeneration of Veli Akkulam at a cost of Rs 24.56 crore (of which 70% was central share). Out of the Central share of Rs. 17.19 crore an amount of Rs. 4.93 crore was released to the State Government. The work was to be executed and completed in 2 years time. One of the components was setting up of 2 STPs by Kerala Water Authority. So far the State Government has not submitted physical or financial progress in terms of the approved components and the UCs has also not been submitted. Implementing agencies was Coastal Shipping and Navigation Department, Government of Kerala through the Kerala Water Authority. It has been intimated by the MoEFCC that it will not be possible to sanction further Projects until the pending UCs are received by the MoEFCC.

Government of India has further indicated that the UC should be given for the amount spent and the unspent amount should be refunded. If it is done, Government of India has informed that they are willing to receive comprehensive management action plan for Ashtamudi, Sasthamkotta and other wetlands on the 60-40 funding patterns.

The Chief Secretary may be requested to hold the meetings with the concerned departments to ensure that the UC is given and the unspent balance is refunded with the concurrence of Finance Department. There after the DPR and Integrated Management Plan for Sasthamkotta, at a cost of Rs.98.63 crore as prepared by the Wetland International may be sent to Government of India for central assistance.

Decision Taken

It was decided to write to the Government for urgent action by the concerned Departments for either submission of UC or to refund the unspent amount to Government of India with the concurrence of Finance Department, so that fresh assistance can be availed from Government of India.

Agenda No – VIII

Approval of Logo of SWAK

In the last General Body Meeting of SWAK, a logo for SWAK prepared by NATPAC was placed for approval. However it was decided by the General Body that the logo for the SWAK will be approved subject to modification. NATPAC has prepared a modified logo.

Decision Taken

The logo with the blue backdrop as given below was approved



Agenda No - IX

Re appropriation of Funds for SWAK

SWAK has a separate head of account and there is only a token provision. There are saving available out of the unspent balance of Rs. 1.8 Crore available with the DoECC, under the scheme, Eco-restoration of Wetlands.

Decision Taken

Move the Government for re appropriation of Rs 32 lakh (for release of Rs 30lakh as first instalment for wetland mapping by KSREC and Rs 2 lakh for office expenses till March 31) out of the savings indicated in the note.

Agenda No – X

Appointment of Project Scientist and Data Entry Operator for SWAK

Director, DoECC as per G.O (Rt) No. 07 / 2016 / Env. dt. 09-03-2016 has been appointed the CEO of SWAK. In the same order it was also mentioned that SWAK has to be housed in the DoECC. No separate staff so far has been provided to carry out the function of SWAK. To prepare and scrutinize proposals to be submitted to Government of India, preparation and implementation of DPRs and for coordinating with different agencies operating in the conservation and management of Wetlands, there is need for the appointment of one Project Scientist (with a qualification and eligibility similar to the Environment Officer post of DoECC) and Data Entry Operator on contract basis with a consolidated pay of Rs 27800 and Rs 19000 respectively.

Decision Taken

The proposal was approved and resolved to move the Government for sanction of the two contract posts

Agenda No – XI

Drafting of Guidelines for Regulatory Functions of SWAK

The SWAK is proposed to be the regulatory authority with regards to Wetlands as per the advice issued by the MoEFCC in the year December 2013 and March 2014.

Currently Wetland Conservation and Management Rules 2010 is in operation. Government of India has issued the draft notification of the 2016 Wetland Conservation and Management Rules which is now in Public Domain for the comments.

The State of Kerala has also enacted various Acts and Laws for the wetland conservations i.e. The Kerala Protection of River Banks & Regulation of Removal of Sand Acts-2001, Kerala Irrigations & Water Conservation Act-

2003, The Kerala Conservation of Paddy Land & Wetland Act-2008, The Kerala Inland Fisheries & Aquaculture Act-2010. Also the Wetland Conservation and Management Rules-2010 has overlapping provisions with Central Acts like Wildlife Protection Act-1972, Indian Forest Act-1927, Forest Conservation Act-1980 and Environment Protection Act-1986.

Therefore to ensure that the regulations enacted by the State Rules do not contradict with the Central Rules, preparation of guidelines for the enforcement of the regulatory mechanisms is essential. A committee needs to be constituted with representative from Department of Laws, Agriculture, Fisheries, Water Resources, Revenue, LSGD, Forest & Wildlife and State Pollution Control Board with CEO, SWAK as the convener.

Decision Taken

The committee with representative from Department of Laws, Agriculture, Fisheries, Water Resources, Revenue, LSGD, Forest & Wildlife and State Pollution Control Board and CWRDM with CEO, SWAK as the convener to be formed to examine the issue raised.

Agenda No – XII

Wetland Technical Unit was created in the KSCSTE and currently the unit is also servicing the technical needs of the Kerala Coastal Zone Management Authority. The unit is the only technical arm in the Government on matters relating to wetlands.

It is suggested that the unit may henceforth be also designated as the wetland technical support unit for SWAK. If approved the Government may be moved for issuing necessary orders.

Decision taken

Approved. The Government to be addressed to shift the wetland technical unit now under the Science and Technology Council, to SWAK. Further decided to

request the Government that till such time the unit is shifted it will continue as the technical arm of the SWAK.

Agenda XIII

Activities undertaken by the DoECC for Eco restoration of Wetlands

The DoECC has undertaken various research and action based activities under the plan head of Eco restoration of wetlands. A detailed description of the activities, outlay, implementing agencies is annexed in the annexure I under two heading, Action based activities & Research projects.

Decision taken

Noted

The meeting was concluded at 4.40 pm


Convenor

Shri. V.S Senthil IAS
Addl. Chief Secretary (Env't)


Chairman

Shri. Pinarayi Vijayan
Hon'ble Chief Minister