

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 163 of 2024

IN THE MATTER OF:

Rasikh Rasool Bhat

...Applicant

VERSUS

Union Territory of Jammu & Kashmir & Others

...Respondents

ADDITIONAL AFFIDAVIT ON BEHALF OF THE  
APPLICANT TO BRING ON RECORD GEO TAG  
PHOTOGRAPHS AND ADDITIONAL DOCUMENTS

Rasikh Rasool Bhat  
Applicant-in-Person  
Ahgam Rajwar Handwara 193221 J&K  
Mobile no. 9103-097-097  
Email rasikhrasool@gmail.com

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ADDITIONAL AFFIDAVIT ON BEHALF OF THE APPLICANT TO BRING ON RECORD ADDITIONAL DOCUMENTS  
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Place : Baramulla J&K

Dated: 1<sup>st</sup> November 2025



Rasikh Rasool Bhat

Applicant-in-Person

Ahgam Rajwar Handwara 193221 J&K

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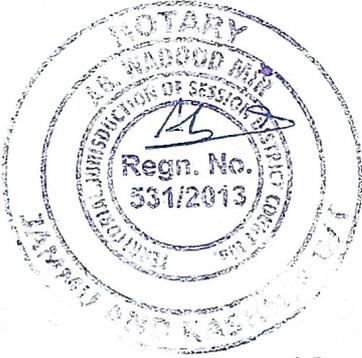
Union Territory of Jammu & Kashmir & Others

...Respondents

### ADDITIONAL AFFIDAVIT

I, Rasikh Rasool Bhat S/o Gh Rasool Bhat Age 36 years R/o Ahgam Rajwar Handwara 193221 J&K do hereby solemnly affirm and state as under:-

1. That I am the Applicant in the present Original Application and I am well acquainted with the facts and circumstances of the case. I am competent to swear this affidavit.
2. That during the course of the last hearing, the Hon'ble Tribunal was pleased to query why the geo-tagged photographs of River Bed Material (RBM) extraction at Dobigat, between the two bridges, had not been annexed to the record.
3. Accordingly, the present Additional Documents are being filed to place on record the said geo-tagged photographs, along with other crucial and material facts which have subsequently come to light through responses received under the Right to Information Act, 2005, and other official communications. These documents reveal serious irregularities, statutory violations, and large-scale environmental degradation arising from the



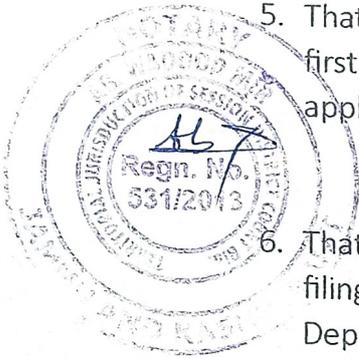
execution of the Handwara–Bangus Road Project undertaken by the Public Works (R&B) Department, Government of Jammu & Kashmir.

#### Facts Revealed Through RTI Replies

4. That in April 2025, I filed an RTI application before the Public Information Officer, Directorate of Accounts & Treasuries, Kashmir, seeking details of bills drawn for the Handwara–Bangus Road Project since 2016.
5. That No information was initially provided, and consequently, I preferred a first appeal which was disposed of on 06.05.2025, directing transfer of my application to the PIO, Executive Engineer, R&B Division, Handwara
6. That Despite such direction, no response was received. Thereafter, upon filing a further appeal before the competent authority of the Public Works Department, the requisite information was finally furnished on 08.10.2025.
7. That the said RTI reply reveals that project works commenced in 2017, nearly three years prior to the grant of forest clearance. It further discloses that three bills one in 2017–18 and two in 2018–19 amounting to a total of ₹5,48,18,000 (Rupees Five Crore Forty-Eight Lakh and Eighteen Thousand only) were drawn towards earthwork, concrete works, cross-drainage, and protection works.

#### ANNEXURE–A (Colly): Copy of RTI reply dated 08.10.2025.

8. That the RTI reply received from the Divisional Manager, Extraction Division, J&K Forest Development Corporation, Baramulla discloses that tree extraction was carried out during 2020–21, which is inconsistent with the construction timeline. It is impossible that major works such as earth cutting, concreting, and cross-drainage could have preceded tree felling.



9. That contradiction establishes that project activities commenced well before obtaining forest clearance, in violation of the Forest (Conservation) Act, 1980.

ANNEXURE-B: Copy of RTI reply from J&K FDC.

**More than 25000 trees including Saplings and poles cut / uprooted and Violations Evident from Departmental Records**

10. That as per the report of the Department of Forest, Ecology & Environment, FIR No. 449/2018 was registered at Police Station Handwara against the contractor and the user agency for unauthorized felling of trees prior to forest clearance, thereby acknowledging statutory violations.

11. The project execution timeline, coupled with bill payments, FIR registration, and no tree extraction records, from 2017 to 2019 clearly exposes serious procedural irregularities and environmental violations. Figures of felled trees reported by the concerned authorities are incorrect and grossly understated

12. That major Earth cutting prior to Forest clearance is an leading Evidence indicates that more than 25,000 trees (including sapling and poles) were felled and uprooted between 2017 and 2019 within the project-affected area. Officials of the Forest and R&B Departments, in collusion with contractors and sublet contractors, concealed the true extent of felling and attempted to suppress the gravity of forest loss.

13. That collectively read, the RTI disclosures demonstrate institutional complicity, suppression of environmental data, and deliberate concealment of offences, resulting in severe ecological damage to approximately 14 hectares (280 Kanals) of Very Dense Forest (VDF) spread over a 28-kilometre alignment of the Handwara-Bangus Road Project.

### Illegal Extraction of River Bed Material and Mountain Blasting

14. That the project required approximately 1,13,000 MTs of Granular Sub-Base (GSB) River Bed Material (RBM). However, the District Mineral Officer, Kupwara, vide Communication No. 9693-98 dated 28.11.2022, addressed to the Executive Engineer, R&B Handwara, categorically stated that the Handwara Division does not have the capacity to supply 1.3 lakh MTs of RBM for a single project.

#### ANNEXURE-C: Copy of the said communication.

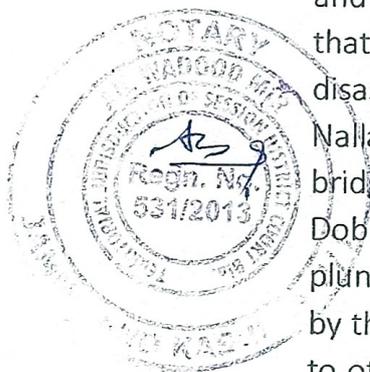
15. Despite the above, communications Authorities manipulated all the rules and guidelines and Environmental norms for the illegal extraction of RBM that was carried out under the pretext of "disposal permits" to upkeep disaster etc by deploying heavy machinery along the Bakiaker-Zachaldara Nallah, at various places including Dobigat Zachaldara, between two bridges. Heavy earth moving machine worked near more than a week at Dobigat Zachaldara and near the Bridge at Chalpora and other places thus plundered huge RBM beyond the admissible in illogical permission granted by the Geology and Mining Department, and RMB material was also used to other projects apart from of Handwara-Bangus Road. That has caused willful damage to streams Bridges, Roads and Private Properties.

#### ANNEXURE-D (Colly): Geo-tagged Photos heavy machine doing illegal extraction at Dobiगत Zachaldara

16. Furthermore, large-scale illegal mountain blasting was carried out in Compartments 25 and 26 of Rajwar Forest Area without statutory permission, as disclosed by the Forest Department in their Report, more over during the year 2024 and 2025, additional forest mountain rock material was illegally extracted and used in the impugned Road project.

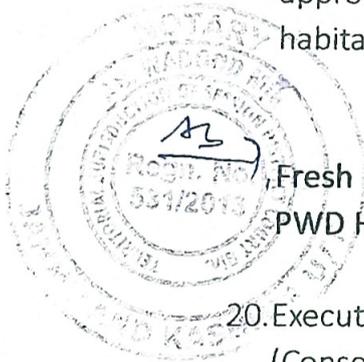
#### Expiry of Forest Clearance and Continuing Illegality

17. That Condition No. 12 of the Forest Clearance granted for Phase First, dated 24.08.2019 provides:



*"The approval will remain valid for one year and in case the due amount against the project summarized above is not paid within the stipulated period, the approval shall be deemed to have been cancelled."*

18. That as per records of the Forest Department, the user agency has not deposited the Net Present Value (NPV) or Compensatory Afforestation (CA) charges till the last date of hearing. Consequently, the forest clearance stood automatically cancelled on 24.08.2020.
19. That the user agency illegally continued project execution for Phase first as well as Phase second in flagrant violation of the Forest (Conservation) Act, 1980, the J&K Forest (Conservation) Rules, and the express conditions of approval, causing willful damage and degradation of forest land, wildlife habitat, local streams and forest mountains .



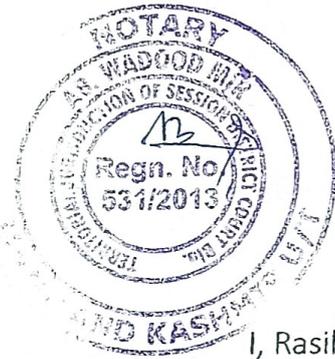
Fresh violation of Conservation of Forest Act by the Executive Engineer  
PWD Handwara

20. Executive Engineer, PWD Handwara, in blatant violation of the Forest (Conservation) Act and allied environmental laws, has floated and executed a tender in October 2025 for construction of a Link Road from Village Darushpora to Bangus Road, which passes through a forest area, without obtaining the mandatory forest clearance or approval. This act constitutes a gross violation of forest and environmental laws, especially when the same project is already impugned before this Hon'ble Tribunal. The Conservator of Forests, North Kashmir, has accordingly directed the DFO Langate to register an FIR and initiate necessary action against the violators.

**ANNEXURE E (COLLY)** A copy of the official communication addressed to the DFO Langate by the Conservator of Forests, North Kashmir

**Violation of Wildlife Protection Norms:**

- 21. That the Rajwar and adjoining forest areas form part of a highly sensitive ecological landscape that supports several Schedule II like Himalayan Blackbear species under the Wildlife (Protection) Act, 1972, and serve as vital breeding and dispersal corridors. However, no wildlife conservation, mitigation, or habitat management measures were undertaken by the user agency or the concerned authorities. This failure has resulted in significant habitat disturbance and increased human-wildlife conflict in Rajwar and nearby regions, adversely affecting biodiversity and local communities.
- 22. In view of the above facts, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to: Take on record the present Additional affidavit including the Documents, Geo-tagged Photographs and Annexures as part of the record of the present proceedings.



*[Signature]*  
DEPONENT

**VERIFICATION**

I, Rasikh Rasool Bhat, S/O Gh Rasool Bhat R/O Ahgam Rajwar Handwara 193221 J&K do hereby verify that the contents of the above paragraphs are true and correct to the best of my knowledge and belief, and nothing material has been concealed therefrom.

*[Signature]*  
DEPONENT

Certified that  
who is identified  
presented  
today on  
oath to him  
affirmed to the contents of this  
affidavit.

*[Signature]* before me  
administered  
solemnly  
of this

*[Signature]* Identified by  
Rasikh Rasool Bhat  
Aasif Ulagir  
S/o Mond-Ulagir Dar  
P/o Watergan  
Distt - BARAMULLA

**ABDUL WADOOD MIR**  
NOTARY PUBLIC  
DISTRICT COURT BARAMULLA  
Regd. No: 531/2013

*[Signature]*  
HAZIR  
6





Annexur A

**GOVERNMENT OF JAMMU AND KASHMIR (UT)**  
**OFFICE OF THE EXECUTIVE ENGINEER R&B DIVISION**  
**HANDWARA**

Sh Rasikh Rasool Bhat  
 Ahgam Rajwar Handwara  
 District Kupwara-193221  
 Contact No 9103097097  
 Email: rasikhrasool@gmail.com

No: 3920-24  
 Dated: 08.10.2025

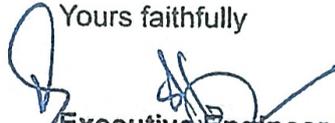
**Sub: Information under RTI act 2005 and disposal of 1st appeal under RTI Act 2005**

**Ref: Directorate of Accounts and Treasuries Haft Chinar Srinagar office letter No  
 DATK/RTI/ 1254 dated 06/05/2025**

Sir,

This office has received an official letter from Directorate of Accounts and Treasuries Haft Chinar Srinagar. In this context, may please find enclosed the RTI information sought by your good self.

Yours faithfully

  
 Executive Engineer  
 R&B Division Handwara  
 R & B DIVISION HANDWARA

Copy to :

- i) PIO Directorate of Accounts and Treasuries Haft Chinar Srinagar
- ii) Superintending Engineer PWD (R&B) circle Kupwara for information please
- iii) Treasury officer District Treasury Kupwara (APIO) for information and n/a
- iv) Treasury officer Handwara for information

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Answer A

INFORMATION SOUGHT, Total No. of Bills drawn since 31/3/2016 to 31/05/2025, Year wise/ Component of bills Road Handwara Bangus

YEAR	NO OF BILLS	AMOUNT PAID in lacs	COMPONENTS	NAME OF CONTRACTOR
2017-18	1	200.00	Earth work, Concrete work and cross drainage/Protection work	M/S JK CONSTRUCTION COMPANY AND ENGINEERS/HMPO
2018-19	3	348.18	Earth work, Concrete work and cross drainage/ Protection work	M/S JK CONSTRUCTION COMPANY AND ENGINEERS/HMPO
2019-20	4	190.19	Earth work, Concrete work and cross drainage/Protection work	M/S JK CONSTRUCTION COMPANY AND ENGINEERS/HMPO
2020-21	0	0.00	NIL	M/S JK CONSTRUCTION COMPANY AND ENGINEERS/HMPO
2021-22	0	0.00	NIL	M/S JK CONSTRUCTION COMPANY AND ENGINEERS/HMPO
2022-23	4	547.54	Sub Grade preparation/ Earth work, concrete and cross drainage	M/S JK CONSTRUCTION COMPANY AND ENGINEERS/HMPO
2023-24	6	815.50	Macdamisation /Cross Drainage	M/S JK CONSTRUCTION COMPANY AND ENGINEERS/HMPO
2024-25	3	376.21	Macdamisation /Cross Drainage	M/S JK CONSTRUCTION COMPANY AND ENGINEERS/HMPO

Rti applicant can also verified details of project from information board at RD 0 Handwara Bangus road  
 NOTE : As per the RTI Act rules 2005 the department can not disclose any personal information like Account number, Aadhaar/ Pan

  
 ENGINEERS/HMPO  
 TDS DIVISION



Annexure B

**THE JAMMU & KASHMIR FOREST DEVELOPMENT CORPORATION**

(Office of the Divisional Manager, Extraction Division, Baramulla)

The General Manager (P&P)  
J&K Forest Development Corporation,  
Jammu

No: 1720-22 /DM/FDC/Bla

dated: - 26-03-2025

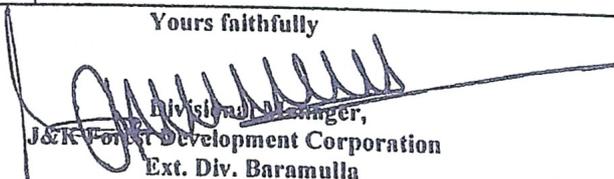
Sub: - RTI sought by Shri Rasikh Rasool Bhat Mob.No:9103097097.

Sir,

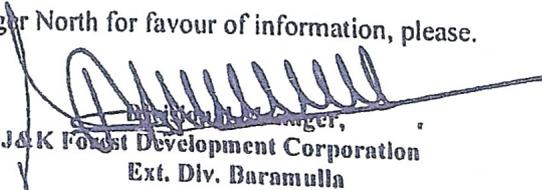
In reference to the above captioned subject, the desired information sought by Rasikh Rasool Bhat Mob.No:9103097097 are as under:

S. No	Particulars	Information
01	<p>Extraction details of Trees/Poles/Saplings etc of Handwara-Bangus-Road of R&amp;B Division Handwara, Forest Division of North Kashmir.</p> <p>1. Trees/Poles/Saplings were extracted, provide the details with classification and compartment wise.</p> <p>2. Date of extraction work.</p> <p>3. What is the status of details of extracted trees/poles/saplings.</p> <p>4. Sale details of extracted Trees/Poles/Saplings.</p>	<p>The details of information</p> <p>1. Total extracted</p> <p>Trees = 434</p> <p>Poles = 54</p> <p>Saplings = NIL</p> <p>Total = 488 = 53123 cfts (std) converted 43896 cfts</p> <p>Compartment wise details:-</p> <p>1.02,3a &amp; 3b/Rajwar</p> <p>Trees 53</p> <p>Poles = 03</p> <p>Total 56 = 5234 cfts (std) Converted 4800 cfts.</p> <p>2.5-6/Rajwar</p> <p>Trees=45</p> <p>Poles = NIL</p> <p>Total 45 = 5020 cfts (std) Converted 4645 cfts.</p> <p>3.10,11 &amp; 13/Rajwar</p> <p>Trees=47</p> <p>Poles = 15</p> <p>Total 62 = 2948 cfts (std) Converted 2451 cfts.</p> <p>4.15a,16,24,25 &amp; 26a/Rajwar</p> <p>Trees=292</p> <p>Poles = 36</p> <p>Total 328 = 39921 cfts (std) Converted 32000/- cfts.</p> <p>2.)2020-21</p> <p>3)The work has been completed site cleared stocks despatched to Auction depots</p> <p>4) Not pertains to this Division.</p>

Yours faithfully

  
Divisional Manager,  
J&K Forest Development Corporation  
Ext. Div. Baramulla

1. Copy submitted to General Manager Adm J&K FDCL Jammu for information, please.
2. Copy submitted to the General Manager North for favour of information, please.

  
Divisional Manager,  
J&K Forest Development Corporation  
Ext. Div. Baramulla

Government of Jammu and Kashmir  
Office of the District Mineral Officer Kupwara

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The  
Executive Engineer  
R&B Division Handwara.

Annexure C

Subject: Permission for lifting of rover bed material (GSB) for construction of road from Handwara to Bangus 2<sup>nd</sup> Vide Chief Engineer's letter no: CE/RBK/WS/14516-18 dated 02-08-2022

Reference: Your letter no 9693-98 dated 28-11-2022

Sir,

Apropos to cited subject and reference, it is to inform your good self that the 70% area of district falls under reserve forest area and a limited area of district is available for mining. The fewer streams following through inhabited area of district are available for river bed mining. Frequent public assets like bridge and inhabitation limit scope of extraction from rivers in the district. The Handwara division has not in capacity to supply 1.3 lakh Mts of RBM for single project.

Keeping the necessity of project into consideration this office has identified two spots outside nalla in the area where Khak Bajri/Bal Mukh is available. It is suggested that the material be tested for its strength and if feasible the same material can be used for completion of projected mentioned supra. However the same can be done only after clarification/ consultation of stake holding departments.

Thanking you

Yours Faithfully

No: DMO/KUP/DP/22/24004

dt: 01-12-2022.

*[Handwritten Signature]*  
District Mineral Officer  
Geology and Mining  
Kupwara

Copy to:

1. Deputy Commissioner Kupwara for information and necessary action please

*[Handwritten Signature]*

*[Handwritten Mark]* 11

372  
Annexure D



*Romy*

GPS Map Came



Zachaldara, ,  
C55X+RHH, Zachaldara, 193221  
Lat 34.410886°  
Long 74.198672°  
17/12/23 11:11 AM GMT +05:30

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Anneuse D



*[Handwritten signature]*

 **GPS Map Camera**



Zachaldara, ,  
C55X+RHH, Zachaldara, 193221  
Lat 34.410886°  
Long 74.198672°  
17/12/23 11:11 AM GMT +05:30

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 **GPS Map Came**

Zachaldara, ,  
C55X+RHH, Zachaldara, 193221  
Lat 34.410886°  
Long 74.198672°  
17/12/23 11:11 AM GMT +05:30



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Anneuse E

Office Address  
Forest Complex, Mazbugh Jagir,  
Sopore -193201

Phone: 01954-222838

URL Address: [www.jkforest.gov.in](http://www.jkforest.gov.in)

E-mail: [cfnorth.for-ikn@nic.in](mailto:cfnorth.for-ikn@nic.in)



Jammu & Kashmir Forest Department  
Office of the Conservator of Forests Kashmir North Circle Sopore  
Government of Jammu & Kashmir

Divisional Forest Officer,  
Langate Forest Division.

No. FD/CFN/2025-26/FCA/ 367-71

Dated: - 11/10/2025.

**Sub: Unauthorized Road Construction by PWD (R&B) Division Handwara through contractor namely Sh. Shafqat Farooq Baigh S/o Sh. Farooq Ahmad Baigh. R/o Sirajpora Handwara, from Darshpora to Bangus Road in Langate Forest Division.**

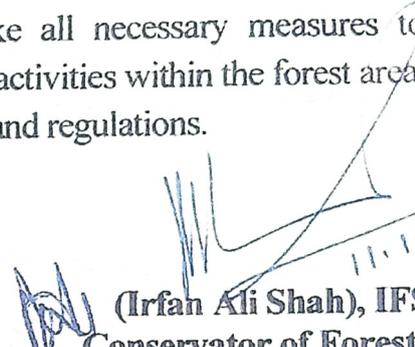
With reference to above quoted subject matter, It has come to the attention of this office that unauthorized road construction is being undertaken by the Public Works Department (R&B) Division, Handwara, from Darshpora to Bangus Road within the jurisdiction of Langate Forest Division. This activity is reportedly in violation of forest conservation regulations, as it encroaches upon protected forest land without requisite approvals. To address this serious matter, you are hereby directed to take the following actions promptly:

- 1. Lodging of FIR:** - Initiate immediate legal action by lodging an FIR against the Executive Engineer, PWD (R&B) Division, Handwara, and the contractor responsible for the unauthorized construction. Ensure that the FIR is filed with the appropriate authorities and a copy is forwarded to this office for record and further course of action.
- 2. Details of Forest Officials and Action Taken:** - Provide a detailed report on the Forester, Beat Guard, and other officials posted in the area where the unauthorized construction is taking place. Include their names, designations, and specific lapses in duty that allowed this violation to occur undetected. Additionally, outline the disciplinary actions initiated against these officials for failing to perform their duties effectively.
- 3. Details of Road Construction and Work Order:** - Verify and submit details of the road construction project, including whether any work order was issued by the PWD (R&B) Division, Handwara, to the contractor. Provide copies of any relevant documentation, such as work orders, agreements, or permissions, if available.
- 4. Site Inspection and Report:** - Conduct an immediate inspection of the site where the unauthorized construction is occurring. Prepare a comprehensive inspection report detailing the extent of the encroachment, environmental damage caused, and any other relevant observations. Submit the report to this office within three (3) working days.

Annexure E

5. Show Cause Notice to Range Officer: - Show Cause notice be issued to Range Officer, Rajwar Forest Range and reply be sought and Conduct an immediate inspection of the site where the unauthorized construction is occurring. Prepare a comprehensive inspection report detailing the extent of the encroachment, environmental damage caused, and any other relevant observations. Submit the report to this office within three (3) working days.

6. Immediate Cessation of Illegal Activities: -Take all necessary measures to immediately halt any further unauthorized construction activities within the forest area. Ensure strict compliance with forest conservation laws and regulations.

  
11.10.2025  
(Irfan Ali Shah), IFS  
Conservator of Forests  
Kashmir North Circle

1. Copy submitted to the Chief Conservator of Forests, Kashmir Region for favour of information & necessary action, Please.
2. Joint Director, Forest Protection Force, Kashmir Delta Hqs Srinagar for favour of information and necessary action.
3. Copy to the Joint Director Soil & Water Conservation Department, Kashmir for information & necessary action. The illegal construction is also through SWC Units. How the staff of SWC has allowed and be enquired into and enquiry report be shared with this office.
4. Copy to Deputy Director Forest Protection Force, Langate. How has FPF intelligence failed to detect this massive violation of Indian Forest Act, 1927 needs to be inquired into. Further a site inspection report is requested for from your good office.

*Q. No.*



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Rasikh Rasool &lt;rasikhrasool@gmail.com&gt;

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**Service of Additional Affidavit by Applicant in OA 163 of 2024 before Hon'ble NGT**  
1 message

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Rasikh Rasool &lt;rasikhrasool@gmail.com&gt;

Thu, Nov 6, 2025 at 5:15 PM

To: cs-jandk@nic.in, jkpwd-rb@jk.gov.in, Jkforest.adm@jk.gov.in, dckup-jk@nic.in, membersecretaryjkspcb@gmail.com, dmokup@gmail.com, jkmining2021@gmail.com, Executive Engineer handwara <xenrbhandwara@gmail.com>, dfolangate@gmail.com, Gautam Singh <gautamsinghh.ind@gmail.com>

Sir/Ma'am

Please find attached the Additional Affidavit on behalf of the Applicant in OA No. 163 /2024 titled Rasikh Rasool Bhat vs. Union Territory of J&K & Ors.

Regards  
Rasikh Rasool Bhat  
Applicant in Person  
M No : 9103097097

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 **Additional Affidavit by Applicant Rasikh Rasool Bhat Vs UT of J&K in OA 163 of 2024.pdf**  
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