

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

ORIGINAL APPLICATION NO. 163/2024

IN THE MATTER OF:

Rasikh Rasool BhatApplicant
Versus
Govt of UT of J&K and othersRespondents

ADDITIONAL SUBMISSIONS' AND WRITTEN ARGUMENTS BY THE APPLICANT

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Place: Handwara J&K
Dated : 12th of November 2024

Rasikh Rasool Bhat
Applicant in person
Ahgam Rajwar Handwara
District Kupwara J&K 193221
Email: rasikhrasool@gmail.com
Mobile No: 9103097097

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

Govt. of UT of J&K and Ors

.RESPONDENTS

MEMO OF PARTIES

Rasikh Rasool Bhat

....APPLICANT

VERSUS

1. **Union Territory (UT) Government of Jammu and Kashmir**
Through Chief Secretary Civil Secretariat Jammu, Jammu and Kashmir- 180001
Email: cs-jandk@nic.in (Respondent no 1.)
2. **Administrative Secretary Public Works Roads and Buildings Department**
UT Government of Jammu and Kashmir,
Civil Secretariat Jammu Jammu and Kashmir- 180001
Email: compwd@rediffmail.com compwd1234@gmail.com (Respondent no. 2)
3. **Administrative Secretary to Forest Ecology and Environment Department**
UT Government of Jammu and Kashmir
Civil Secretariat Jammu Jammu and Kashmir- 180001
Email: pccfjkforest@gmail.com / aks-ict2018@jk.gov.in iro.jammu-merfcc@gov.in (Respondent no. 3)
4. **Deputy Commissioner, Kupwara**
DC Office Complex Kupwara J&K - 193222. Email: padckupwara@gmail.com (Respondent no. 4)
5. **Executive Engineer Public Works R&B Division Handwara**
Handwara J&K- 193221
Email: cepwdrnbkmr@yahoo.in xenrnbhandwara@gmail.com (Respondent no. 5)
6. **Divison Forest Officer Langate**
Langate, Handwara J&K – 193302
Email: padckupwara@gmail.com jtdirk.jkfpf@gmail.com (Respondent no. 6)
7. **Administrative Secretary Mining Department UT Govt of Jammu and Kashmir**
Civil Secretariat Jammu Jammu and Kashmir- 180001
Email: jkmining2021@gmail.com (Respondent no. 7)



8. **Executive Engineer Irrigation and Flood Control Department**

Rajwar Road, Handwara J&K- 193221

Email: plansectionhyd@gmail.com se1-jkidfc@jk.gov.in

(Respondent no. 8)

9. **District Mineral Officer Geology and Mining Department**

Kupwara Kupwara J&K- 193222

Email: dmokup@gmail.com

(Respondent no. 9)

10. **Member Secretary J&K Pollution control committee**

Perivesh Bhawan ,Gladni Forest Complex Transport Nagar Jammu

Email: membersecretaryjkspcb@gmail.com , membersecy.pcb@jk.gov.in

(Respondent no. 10)

Dated: 12TH OF November 2024

Place : Handwara J&K



Rasikh Rasool Bhat

Applicant in person

Ahgam Rajwar Handwara

District Kupwara 193221 J&K

Email: rasikhrasool@gmail.com

Mobile no: 9103097097



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

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ADDITIONAL SUBMISSIONS AND WRITTEN ARGUMENTS BY THE APPLICANT

Most Respectfully Showeth:

- A. That on 5th of April 2024 the Local Residents of Rajwar Area had also written an Application to Respondent No 2 , 3 and Chairperson JKPC and J&K Environment impact Assessment Authority. same was copied to Applicant for information , wherein they are objecting the construction of impugned Road Project and Extraction of Gravel and mentioning the collapse of a Bridge and requesting also for No Macadamization, etc . 07 paged Application of the local Residents, annexed herewith as **ANNEXURE A**
- B. That Hon'able Court of NGT in the last hearing of the instant matter on 07-08-2024 had directed to Respondent No 10 ie Member Secretary JKPC to file a fresh Report within 4 weeks, however no Report was Submitted within 4 weeks and till today 12/11/2024 No Report was shared with Applicant.
- C. That Environmental Norms and of Forest conservation Act 1980, Violations are continuing on the impugned Road Project with Impunity and despite local Residents objection Respondent No 5 macadamized few more Kms and damaged the Forest area at various locations
- D. That since the initiation of this impugned Road project, Human- Animal conflict cases are often being reported from the various villages of Rajwar Area.that indicates Wild Animal Presence and



disturbance of their Habitat in the Forest Areas wherein work on impugned Road Project is being executed.

- E. That in one of my recent RTI Application, responded by the Respondent No 6 that is Divisional Forest Officer (DFO) Langate Dated 2/08/2024 received on 9/8/2024, it is revealed that fresh violations of Forest Conservation Act were committed by the Sub-Let contractor and from the part of Respondent No 5 , Forest Authorities had written to Police for the registration of FIR, However no FIR was registered till 2/8/2024 . 7paged RTI Reply is Annexed herewith **ANNEXURE B**
- F. That Point No 1.2.3 and 4 mentioned on page 6 of Annexure B is revealing that Various Violations were committed by the Respondent 5 in league with Contractor and Sub-let Contractors , it is worth to mention here that incumbent Public Servant ie Respondent No 5. Executive Engineer R&B PWD Division Handwara was serving as Assistant Executive Engineer (AEE) in the year 2018 of Same Division and associated with the impugned Road Project when FIR no 449/2018 was registered against AEE R&B PWD Division Handwara and others.
- G. **FURTHERMORE** Applicant is also appraising this Honorable Court that I m being harassed though various tactics. and some corrupt Public servants and selfish persons are trying to defame me and implicate in false allegations/cases aiming to deter me further follow up of the matter as right from the granting of forest clearance in Violation of norms to impugned Road Project and other omission and commissions committed by the public servants of different Public Authorities in league with various selfish elements, criminal and irresponsible role of various in-service and retired Public Servants and big-wigs etc is getting exposed gradually by the course of this instant Original Application No 163/ 2024 before the Court of hon'able NGT, New Delhi.

IN VIEW OF THE ABOVE MENTIONED FACTS, Applicant most respectfully reiterate that Paryers' in instant OA ie 163/2024 may please be granted and further investigation in the matter by Central Bureau of investigation (CBI) or Anti Corruption Bureau (ACB) of J&K may also please be ordered.

Dated 12th of November 2024

Place: Handwara



Rasikh Rasool Bhat

Applicant in Person

Ahgam Rajwar Handwara

District Kupwara 193221 J&K

M.No 9103097097

Email. rasikhrasool@gamil.com

1. Secretary Public Works Department J&K Civil secretariat Jammu/Srinagar
2. Secretary Forest Department J&K Civil Secretariat Jammu/Srinagar
3. Chairperson J&K Pollution control committee Srinagar/Jammu
4. J&K Environment Impact Assessment Authority Srinagar / Jammu

Subject :Objections and Request for Stopping of work including Tarcoal, macadamisation on Handwara-Bangus Road Project of Jammu and Kashmir, in the interest of National Security, in General Public interest of Rajwar People and in an advance measure for prevention of disasters and to control pollution in Rajwar Forests and safe guard local talri Nallah ie Bakiaker-Zachaldara.
Dated: 5th April 2024

Sir/Madam

We the members of General Public of Rajwar area of Handwara Sub-District of J&K want your kind attention towards the facts below

1. That under construction Handwara Bangus Road Project is not in the interest of Rajwar People and we categorically disown the claim of all the parties ie Public Authorities and public representatives of any that this road project in question was granted in due consultation of General Public of our area and is in the benefit of 80000 people
2. That process of this road project was initiated during the turmoil period of the year 2016 and 2019 when most of the times Kashmir valley remained under curfew/ restrictions and media and Internet remained mostly off in the interest of law and order
3. That we were kept unaware about the all the administrative decisions
4. That in the year 2019 we heard that perhaps forest clearance has been granted to this road project , however we that it is just a rumour because alternate route for Bangus valley well built up road was already available via Rajwar-Zachaldara-WadderBala locality so there was no justification to grant forest clearance for construction of new road via Rajwar forests.
5. That we thought that if the reports of the Forest clearance is true then concerned authorities like : J&K State Environmental Impact Assessment Authority , District Disaster Management Authorities etc Will consult with General Public and



Environmental clearance notice will be issued in local news newspapers for informed citizenry and call of objection if any, before any work like cutting of Forest trees and cutting of earth mountain and construction of Road is started, however nothing such was done.

6. That under construction Handwara Bangus Road site is centuries old forest area and it is located at far off place from public reach.

7. That in the month of October-November of the 2023 we came to know that work on Handwara Bangus Road is going on in the Forest area of Rajwar, when Heavy machinery like Big JCBs Evacuators were seen excavating River bed material near the Bridges of Zachaldara, Chalpora, Bakiaker etc on Bakiaker-Zachaldara Talri Nallah

8. That on being inquiring that for what purposes they are bypassing all the Environmental norms to excavate river bed material it was uncovered that they are utilising this all for under construction Handwara Bangus road

9. That on the basis of motivated permissions large scale river bed material was excavated from Babkiaker Zachaldara Nallah that has impacted overall environment in the local area and one bridge at Bakiaker collapsed in this month only.

10. That under construction Handwara Bangus Road project can prove a killing factor for Rajwar locals in terms of their economy and employment for local unemployment youth as this road via Rajwar Forests is by-passing all the local villages of Rajwar locality.

11. That Available Road for Bangus via Rajwar, Zachaldara, WadderBala was diverted to Rajwar Forest only to benefit the parties/ persons whose lands are situated at first 5-7 kms of this road ie from Chotipora to Darshpora.

Keeping in view above mentioned facts under consideration we the local resident of Rajwar Area unanimously object the construction of Handwara-Bangus Road and request you not allow tar-coal macadamisation on 14 hectors of Forest on the middle prestine Forest land situated on Hundreds of acres and further work on Handwara Bangus should be stopped hence forth in the interest of environment protection, National Security and Disaster Management and in the Greater interest of aspirations of General public of Rajwar people. forest clearance of the same should also abrogated and Post Execution of work Environmental should not be granted.

We are also expressing our deep-felt sorrow over the killing of more thn 30000 big/small trees including medicinal plants and earth cutting and mountain blasting on the name of Developmental Project, known as Handwara Bangus Road. We demand restoration of old route to Bangus Rajwar Locality ie Handwara-Zachaldara-WadderBala route and

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actions under law should be taken against all those involved promotion of Bad Governance like Environmental norm and other laws violations.

Thanks

Yours Faithfully

Local Residents of the Rajwar Handwara Area

Copy to the:

Mr. Rasikh Rasool Bhat S/o Dr. Gh Rasool Bhat R/o: Ahgam Rajwar Handwara
(Petitioner in the National Green Tribunal New Delhi) for information and necessary action please.

1. Ashfaq Ahmad Hajam
S/o:- Gh Nabi Hajam
R/o:- Zacheldera Rajwar
Cell No:- 8899928267

3. Ashiq Ahmad Hajam
S/o:- Gh Rasool Hajam
R/o:- Zacheldera Rajwar
Mob:- 9149602675

5. Mohd Imran Lone
S/o Nagesh Ahmad Lone
R/o:- Changanulla Rajwar
Mobile No:- 8899510032

7. Attaf Rashid Babar
S/o: An Rasool Babar
R/o - Shatigam Rajwar
Mob. 7780831511

2. Javid Ahmad Hajam
S/o:- AB Hammad Hajam
R/o:- Zacheldera Rajwar
Mob No:- 9103022763

4. Khurshid Ahmad War
S/o:- Ab Rehman War
R/o:- Changanulla Rajwar
mob:- 9103827697

6. Mubassir Akbar Rishi
S/o Mohd Akbar
R/o = Shatigam Rajwar
mobile no:- 7780916984

8. Ubaid Ahmad Khan
S/o: Mohd Ishaq Khan
R/o: Shatigam
Mobile: 7889378513

9. Nadam Ahmad Khan.
Sp: - Ab Majid Khan
R/o Shaligram Rajwade
Mobile: - 7889458131

10. Bashir Ahmad Khan.
Sp: - Sonallah Khan.
R/o: - Shaligram Rajwade
Mob: 9596476383

11. Syed Mehraj
Sp: Syed Abdul Qayoom
R/o: - Waddar Payam Rajwade.
Mob: - 7006936469

12. Gh Mohd Babu
Sp Mohd Abdulddak Babu
R/o Waddar Payam.
Mob: - No: 9882577119

13. Gh Qadir Mis
Sp: - Wali Mohd Mi
Waddar Payam
8491804316

14. Adil Hussain Mis
Sp: - Sonallah Mis
R/o: Waddar Payam
Mobile: - 6005896815

15. Mubashir Ramzan Mis
Sp: - Mohd Ramzan Mis
R/o: - Waddar Payam.
Mb: 9622464230

16. Gh Rohd Mis
Sp: - Habibullah Mis
R/o Waddar Payam
Mb.

M. Ashraf. War
17. Mohd. Ashraf War
Sp: Gh Rasul War
R/o: - Shaligram
Ph. 7006580908

18. Mohd Hussain Bhat
Sp: - Gh Mohd Bhat
R/o: - Narpora Rajwade

M. Ashraf. War

19. Fayaz
 Riyaz Ahmad Shah.
 S/o: Late Gh Nabi Slet
 R/o: Zacheldera.
 Mobile No: - 7889837632

20. - Firdous Ahmad Sheikh
 S/o: Mohd Meqbool Sheikh
 R/o: Zacheldera.
 Mobile No 8492904174.

Gh Mohd Misa

21. Gh Mohd Misa
 S/o: Gh Ahmad Misa
 R/o: Chagimulla.
 7006267812

Ashraf

22. Mohd Ashraf Bhet
 S/o: Gh Rasaf Slet.
 R/o: Sultanpura Rajmra.
 Mobile No 7780976674

23. ^{FAYAZ} Fauz ~~Saleh~~ Mohd Mochi
 S/o: ~~Zachaldera~~ Mohd Mochi
 R/o: - Wadipora Rajmra
 Mobile 8082519512

24. Zahoor Ahmad Misa
 S/o: Mohd Saad Misa
 R/o: - Sasmara Rajmra
 8899307769

D P

25. Danish Ahmad Tantry
 S/o: Gh Mohd Tantry
 R/o: - Taskpora Rajmra
 Mobile No: - 9103667646

26. *[Signature]*
 Mohd Ashraf
 S/o: - Fauz Ahmad Bhat
 R/o Taskpora.
 7006136686

27. *[Signature]*
 Anayalika Bhat
 S/o: Gh Nabi Bhat
 R/o Taskpora.
 Mobile No: - 9103697379

28. Sajad Ahmad Tantry
 S/o: Aliqulla Tantry.
 R/o: - Taskpora.
 Mobile No: 6005109668

[Signature]

Amr 14900c A

29. ~~Dajimund~~
Sajid Ahmad Bhat
S/o - Ab Rakin Bhat
R/o: - Wadipora Rajwae
7006409366

30. ~~Fayaz~~ Ahmad Bhat
S/o - Late Gh Mohd
R/o: - Wadipora
Motal: 9103809979

30. ~~Arif~~
Aijaz Ahmad Bhat
S/o Mohd Akbar Bhat
R/o wadipora
9797288007

32. Mohd Amim Bhat
S/o Mohd Akbar Bhat
R/o wadipora
600639270

33. ~~Muhammad~~
Mohd Amin Bhat
S/o Lt. Mohd Rustom Bhat
R/o wadipora
9622296510

34. Fayaz Ahmad Bhat
S/o Mohd Rustom Bhat
R/o khirman wadipora
6005928312

35. Mohd Shaif Dar
S/o: Gh Rasal Dar
R/o: Badkoo7 Rajwae
N.No. 7006023199
M. Dar

36. ~~Farhad~~
Taseef Nahi Koo
S/o Gh Nahi Koo
R/o Ralliala Rajwae
7006323002

37. ~~Muhammad~~
Manzoor Ahmed ~~Malik~~
S/o Mohd Shaban Malik
R/o: Gosiakar Rajwae
Mobile No: 7251331483

38. ~~Arif~~
Alif Ahmed ~~Malik~~
S/o Late Ab Rehman
R/o - Gosiakar
Mobile No
7006228723

Arif

39. ~~Mudaci~~
Mudaci Ahmad Blet
S/o:- Ab Majeed Blet
R/o:- Wadipora
700611939

40. ~~Mudaci~~
Mudaci Mogbool Mis
S/o:- Mohd Mogbool Mis
R/o:- Wadipora
9682639516

41. ~~Faizal~~
Faizal Rashid
S/o:- Ab Rashid Blet
R/o Wadipora.
7889892167

42. ~~Jahanjira~~
Jahanjira Akbar Dar
S/o:- Mohd Akbar Dar
R/o:- Lachipora Rajme
7006132582

43. ~~Mudasir~~
Mudasir Nazia
S/o Nazia Ahmad Blet
R/o:- Wadipora Rajme
6005643433

44. ~~Sajid~~
Sajid Shafi
S/o:- Mohd Shafi Bhat
R/o Wadipora Rajme
6006781606

~~45. ~~Mohd Yaseen~~
Mohd Yaseen Mis
S/o:- Gh Rashe Mis
R/o:- Waddabala.
9682529120~~

45. ~~Mohd Yaseen~~
Mohd Yaseen Mis
S/o:- Gh Rashe Mis
R/o:- Waddabala.
9682529120

46. ~~Guljis~~
Guljis Ahmad Mis
S/o:- Gh Mohamed Mis
R/o:- Waddabala.
7006040154.

47. ~~Ali~~
Ali Mohd Mis
S/o:- Gh Hakeer Mis
R/o Waddabala
6006149519

ANNEXURE B
Page 1



THROUGH REGD. LETTER.

Government of Jammu & Kashmir
OFFICE OF THE DIVISIONAL FOREST OFFICER,
LANGATE FOREST DIVISION, LANGATE
E-mail Id: dfolangate@gmail.com.

Sh. Rasikh Rasool Bhat,
R/o Ahgam Rajwar, Handwara,
(Mob. No. 9103097097).

No:-DFO/LGT/Est/2024-25/ 1599

Dated:- 2 - 8 - 2024

Subject: Request for information under RTI Act 2005.

Dear Sir,

In reference to your RTI application received in this office on 26-07-2024 through registered post under postal No. 54F-849831, the information sought by you is given as under:

1. Communications /letters addressed to Police authorities for registration of FIR from BBlock Forest Officer, Handwara, Range officer, Rajwar and this office as well in the months of April, May, June, July 2024 are as under (Copies enclosed):
 - (i) Communication of BO Handwara dated 22-05-2024.
 - (ii) Range Officer, Rajwar's No. Raj/2024-25/199-202 Dated 27-05-2024.
 - (iii) This office No. DFO/LGT/Est/2024-25/818-20 Dated 05-06-2024.
 - (iv) Range officer, Rajwar's No. Raj/2024-25/303-06 Dated 19-06-2024.
 - (v) This office No. DFO/LGT/Est/2024-25/ 988-93 Dated 20-06-2024.
2. No FIR has been registered *so far*.

Encl: 7 Lvs.

Yours sincerely,


Divisional Forest Officer,
Langate Forest Division
Langate



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Station House Officer

Annexure B

Page 2

Station
Handwara.


Subject: Violation of Forest Conservation Act at Bangus Road in forest compartment 04/Raj by The contractor namely Mushraf Bushir Ahanger S/ Bushir Ah. Ahanger R/ Burramulla and works supervisor Ab. & yoon Bhat Sir, S/o Ab. Akad Bhat R/o Kullangam.

In context to above cited subject it is reported that the above named contractor is violating the forest conservation Act, by damaging the forest crop (1-2 year old) and is excavating the soil of forest land for construction of kuart. The said contractor were utilizing the heavy machinery for it. Although the work were stopped by the field staff but the said contractor continued the work by unauthorizedly widening the said road.

It is as such requested that FIR may be registered against the accused for damaging the forest vegetation and illegal excavation of forest soil in forest comp'tt 04/Raj at Nazi-nar.

Dated 22/05/2024.

Yours faithfully.


Ab. & yoon Bhat
Block Forest Officer
Handwara Block.

Copy Submitted To Range Officer Rajwar for forward of information and with the request to take up the matter with higher officers for taking the legal action against the user Agency and perform the spot inspection for further directions.



Annexure B
page 3

Government of Union territory of Jammu & Kashmir
OFFICE OF THE RANGE OFFICER RAJWAR RANGE
HANDWARA

The Station House Officer,
Police Station Handwara

Raj/2024-25/199-202

Dated: 27/05/2024

Subject:- Violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980 formerly known as Forest Conservation Act 1980 at Bangus Road in forest Compartment 04 /Rajwar(Baderhar Beat) of Forest Block Handwara and application of Block Forest Officer Handwara for lodgement of FIR thereof.

Reference No: Block Forest Officer Handwara's No Nil Dated:22/05/2024

Sir,

Kindly refer above cited communication under reference of Block Forest Officer Handwara addressed to your good self, a copy whereof endorsed to this office as well. In this connection as requested by BO Handwara in the said application the necessary FIR against the accused persons may please be registered for violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980 formerly known as Forest Conservation Act 1980(Copy enclosed). The copy of the FIR may be provided to this office for further necessary action at this end.

Yours faithfully,

Range Officer,
Range Rajwar Handwara

1. Copy along with its enclosures (this office communication number Raj/2024-25/176-77 Dated:22/05/2024 and the application of the concerned B.O) submitted to the Worthy Conservator of Forests Kashmir North Circle Sopore for favor of his kind information please.

2. Copy submitted to the worthy Divisional Forest Officer Forest Division Langate for favor of information and necessary action please. This is in continuation to this office number Raj/2024-25/176-77 Dated:22/05/2024.

3. Copy to B.O Handwara for information. This is in reference to his communication number nil Dated:22/05/2024 and in continuation to this office communication number Raj/2024-25/176-77 Dated:22/05/2024. He is directed to pursue the matter personally with the concerned S.H.O and ensure immediate lodgment of F.I.R against the accused persons and get the F.I.R copy of the same and submit to this office per return for its onward submission to higher authorities. As already directed, he will inspect the spot and submit comprehensive damage assessment report to this office for further course of action at this end.

UT of Jammu and Kashmir, Annexure B
Office of the Divisional Forest Officer, page 4
Langate Forest Division, Langate.

Email Id: dfolangatej@gmail.com



The Superintendent of Police,
Handwara.

No.DFO/Lgt/Estt/2024-25/ 818-20

Dated:- 05/10/2024.

Sub;- Violation of Van (Sanrakshan Evam Samvarvardhan) Adhiniyam 1980 formerly known as Forest Conservation Act.1980 at Bangus Road in Forest compartment.04/Rajwar (Badherhar Beat) of Forest Block Handwara and application of Block Forest Officer Handwara for lodgment of FIR thereof.

Sir,

The Range Officer Rajwar has reported vide his communication No.Raj/2024-25/230-31 dated:- 29.05.2024 (Photo copy enclosed for ready reference) that SHO Police Station Handwara has been approached in writing as well as in person for lodgment of FIR against Forest offenders who have violated the Forest Conservation Act.1980 by earth cutting of (0.2 Kanals) of Forest Land and damage of 35 deodar saplings in Forest compartment 4/Rajwar at Handwara-Bungus Road,,but the FIR copy is still awaited from the concerned Police Station.

In order to restore the stability of the forest areas and to prevent further damages to lush green forests along side the road in question and in view of the gravity of the matter it would be appreciated if necessary instructions are issued to SHO Police Station Handwara for lodgment/registration of FIR against the violators and book the offenders under law as requested by Range Officer Rajwar and Block Forest Officer Handwara and provide copy of FIR to this office for further necessary action as the Hon'ble National Green Tribunal (NGT) New Delhi has taken serious note of the violation in O.A No.163/2024 titled Rasik Rasool Bhat V/S Government of J&K and others .

Yours faithfully.

Divisional Forest Officer,
Langate Forest Division,
Langate.

01. Copy alongwith copy of Range Officer Rajwar's letter No. No Raj/2024-25/230-31 dated:- 29.05.2024 submitted to the Conservator of Forests Kashmir North Circle Sopore for favour of information and necessary action.,please.
02. Copy to Range Officer Rajwar for information and necessary action. This takes reference to his letter quoted above.

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Divisional Forest Officer,
Langate Forest Division,



Annexure B
page 5

Government of Union territory of Jammu & Kashmir
OFFICE OF THE RANGE OFFICER RAJWAR RANGE
HANDWARA

The Station House Officer,
Police Station Handwara

(Reminder)

Raj/2024-25/303-06

Dated: 19/06/2024

Subject:- Violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980 formerly known as Forest Conservation Act 1980 at Bangus Road in forest Compartment 04 /Rajwar(Baderhar Beat) of Forest Block Handwara and application of Block Forest Officer Handwara for lodgement of FIR thereof.

Reference No: This office communication No:Raj/2024-25/199-202 Dated:27/05/2024

Respected Sir,

Kindly refer above cited communication under reference of this office .In this connection, as already requested, FIR copy of the instant violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980 formerly known as Forest Conservation Act 1980 in Co.04/Rajwar(Baderhar Beat) may please be provided to this office for further necessary action at this end .

Yours faithfully,

Range Officer,
Range Rajwar Handwara



1.Copy submitted to the Worthy Conservator of Forests Kashmir North Circle Sopore for favor of his kind information please. This is in continuation to this office communication number **Raj/2024-25/199-202 Dated:27/05/2024** regarding the same.

2.Copy submitted to the worthy Divisional Forest Officer Forest Division Langate for favor of information and necessary action please. This is in continuation to this office numbers **Raj/2024-25/176-77 Dated:22/05/2024** and **Raj/2024-25/199-202 Dated:27/05/2024**

3.Copy to B.O Handwara for information. This is in continuation to this office communication numbers **Raj/2024-25/176-77 Dated:22/05/2024** and **Raj/2024-25/199-202 Dated:27/05/2024** . He will pursue the matter personally with the S.H.O Handwara and get the F.I.R copy of the same for its onward submission to higher authorities. He will remain vigilant and ensure that no further violation takes place in the area of his responsibility.

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(Signature)

(Signature)

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**UT of Jammu and Kashmir,
Office of the Divisional Forest Officer,
Langate Forest Division, Langate.**

Email Id: dfolangate@gmail.com



The Executive Engineer,
R&B Division, Handwara.

ANNEXURE B
Page 6

No:- DFO/Lgt/ Estt/2024-25/

900-93

Dated:- 20/06/2024

Sub: -Hindrance caused by Forest Department in timely completion prestigious road project (Handwara Bangus Road)

Ref: - Your letter No.869-71 dated;- 04.06.2034.

Sir,

Kindly refer your above cited subject and communication. In this connection, it is intimated that no reports regarding hindrance in execution of work on Handwara-Bangus road by the Forest field functionaries have been received in this office, However, it is needless to mention here that all the field functionaries of Forest department are duty bound to ensure that the terms and conditions laid down in Government order No.281-FST of 2019 dated;- 24.09.2019 issued by Commissioner/Secretary to Government Forest Environment & Ecology Department are abided by the User Agency while executing the accorded work and the violators, if any, are dealt with strictly as per law, It is unfortunate to note that repeated violations have been made by the User Agency during execution of work on the road which is evident from the following action taken in response to the violations.

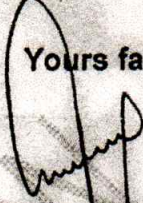
- o/c
01. FIR No.449/2018 dated;- 30.11.2018 has been registered against the Contractor and User Agency for execution of the work on the road prior to approval /accord of the formal sanction from the competent authority.
 02. FIR No.239 of 2023 dated;- 25.10.2023 stands registered against one Contractor namely Musharaf Bashir Ahanger S/O Bashir Ahmad Ahanger R/O Baramulla and Poclain machine driver namely Altaf Ahmad Mir S/O Mohd. Mabool Mir R/O Baramulla for un-authorized earth cutting (0.35 Hac) in compartment.25/Rajwar in violation of the Government order.
 03. Five (05 Nos) of Fir trees of different classes have been damaged in compartment 26/Rajwar near blasting site at Bangus during construction of the road and accordingly bill for an amount of Rs.2,25,890.00 as cost of the damaged trees have been raised against the User Agency, but despite repeated requests, the billed amount is yet to be remitted into Government Treasury.
 04. Recent Earth cutting of (0.2 Kanals) of Forest Land and damage thereof to 35 deodar saplings in Forest compartment 04/Rajwar by the User Agency has been noticed by the field staff and accordingly SHO Police Station Handwara has been approached in writing as well as in person by Range Officer, Rajwar for lodgment of FIR in the matter.

Apart from the above, the User Agency did not abide by the terms and conditions laid down in Government order for diversion of Forest Land for construction of the road in question and the User Agency is required to take all necessary steps to check soil erosion and land slips to prevent loss of forest crop/property but there is not one in place till date.

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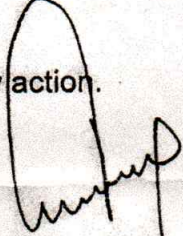
Since the matter is being monitored by the Hon'ble National Green Tribunal (NGT) and it becomes imperative to ensure that the work on the road is executed in accordance with the Government order as the violations cannot be compromised by Forest Department at any cost. Nevertheless, specific directions have been issued to all concerned Forest field functionaries not to act in a way which will impede execution of the approved work on the ground as per terms and conditions notified in the accorded permission.


Yours faithfully,


Divisional Forest Officer,
Langate Forest Division,
Langate.

Copy submitted for favour of information and necessary action to the:-

01. Conservator of Forests, Kashmir North Circle, Sopore.
02. District Development Commissioner, Kupwara.
03. Superintending Engineer, PWD (R&B) Circle, Kupwara.
04. Superintendent of Police, Handwara.
05. Copy to Range Officer, Rajwar for information and necessary action.


Divisional Forest Officer,
Langate Forest Division,
Langate.


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