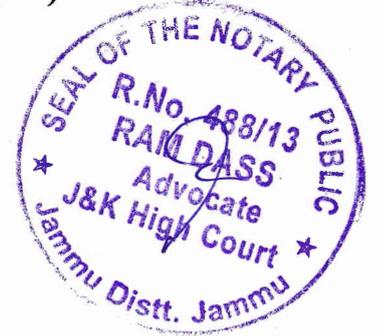


**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
IN  
ORIGINAL APPLICATION No. 1339/2024 (PB)**

**IN THE MATTER OF:**

**News item titled "Ladakh bird life comprising 430 species in dire need of protection" appearing in ETV Bharat dated 16.11.2024**



**... Suo Motu**

**Versus**

**Ladakh Pollution Control Committee and Ors**

**... Respondents**

**Counter Affidavit in response to Hon'ble Tribunal's order dated 20.03.2025 on Behalf of Respondent No. 3, the Union of India, through Regional Office Jammu, Ministry of Environment, Forest and Climate Change.**

**MOST RESPECTFULLY SHOWETH:**

I, Khursid Alam Khan, aged about 37 years, working as Scientist 'C', in Ministry of Environment, Forest and Climate Change, New Delhi (hereinafter 'Ministry') do hereby solemnly affirm and State as under:

1. That I am duly authorized to swear this affidavit and as such I am conversant with the facts of the present case and competent to swear the present affidavit.

  
**Dr. Khursid Alam Khan**  
Scientist 'C'  
Integrated Regional Office, Jammu  
Ministry of Environment, Forest & Climate Change  
Govt. of India

2. That I have read and understood the contents of the accompanying reply and state that the same has been drafted under my instructions based on the official records.

**STATEMENT OF FACTS:**

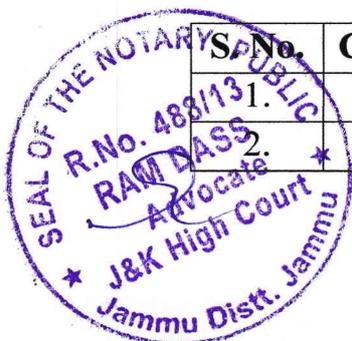
3. That the Original Application has been registered suo motu based on the news item titled "*Ladakh Birdlife Comprising 430 Species in Dire Need of Protection*" appearing in ETV Bharat dated 16.11.2024.

4. That the news item relates to the urgent need to protect the Ladakh Bird Sanctuary, which is home to over 430 species of birds. As per the article, the sanctuary, located in the northern Indian region of Ladakh, is facing significant environmental threats, particularly due to climate change, habitat degradation, and human activities. These factors are endangering the rich biodiversity of the sanctuary and threatening the survival of various bird species.

**REPLY ON MERIT:**

5. It is submitted that the Wild Life (Protection) Act, 1972 empowers the State Governments/ Union Territory Administrations to declare areas under their control as protected areas, namely, Sanctuaries, National Parks, Conservation Reserves and Community Reserves for the conservation and protection of wild life therein. In the Union Territory of Ladakh, the following protected areas have been declared:

S.No.	Category of Protected Area	Name of the Protected Area
1.	National Park	Hemis National Park
	Sanctuary	Changthang Wildlife Sanctuary



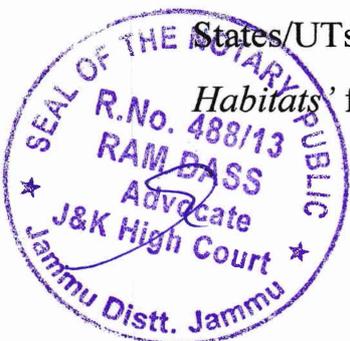
*KSK*  
**Dr. Khursid Alam Khan**  
 Scientist 'C'  
 Integrated Regional Office, Jammu  
 Ministry of Environment, Forest & Climate Change  
 Govt. of India

3.	Sanctuary	Karakoram (Nubra Shyok) Wildlife Sanctuary
4.	Conservation Reserve	Boodh Karbu
5.	Conservation Reserve	Kanji
6.	Conservation Reserve	Norrichain Wetland (Tsokar)
7.	Conservation Reserve	Sabu
8.	Conservation Reserve	Tsomoiri Wetland

6. It is submitted that the Wild Life (Protection) Act, 1972 has been amended in the year 2022. Preparation of management plan of a protected area has been made statutory as per the amended Act. As per section 33 of the Act, the Chief Wild Life Warden (CWLW) shall be the authority who shall control, manage and protect all sanctuaries in accordance with such management plans for the sanctuary approved by him as per the guidelines issued by the Central Government and in case the sanctuary also falls under the Scheduled Areas or areas where the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) is applicable, in accordance with the management plan for such sanctuary prepared after due consultation with the Gram Sabha concerned.

7. It is submitted that the Ministry has issued guidelines for preparation of management plan for the protected areas dated 30.11.2023. The guidelines provide a holistic approach to better scientific planning of Protected Areas in accordance with the current management practices undertaken globally. The guideline lay out a substantial canvas of tasks for the Chief Wildlife Wardens and the officers subordinate to him involved in the process of preparation, approval and implementation of the Management Plan of the area.

8. It is submitted that the Ministry provides financial assistance to the States/UTs under the Centrally Sponsored Schemes, 'Development of Wildlife Habitats' for conservation of wildlife including birds and their habitats.



*K. Khan*  
**Dr. Khursid Alam Khan**  
 Scientist 'C'  
 Integrated Regional Office, Jammu  
 Ministry of Environment, Forest & Climate Change  
 Govt. of India

9. It is submitted that the changes in the species diversity, breeding productivity, migratory patterns require a more cautious interpretation of the attributed factors in the report. The role of climate change in increasing species richness needs further investigation, supported by long-term monitoring data. Many factors, such as temporary favorable weather conditions or reduced predation pressure in a given year, can contribute to changes in breeding behaviour. A multi-year assessment is needed before arriving at conclusions. Factors, such as changes in food availability, pesticide use, and competition from other species, may also be influence changes in bird numbers and species diversity.

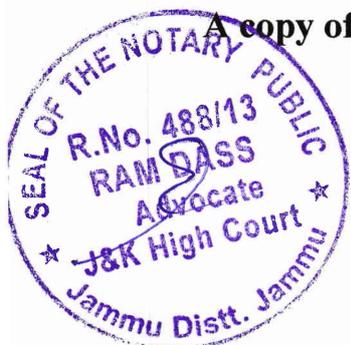
10. It is submitted that WP(C) No. 97 of 2024, titled as ***Bombay Natural History Society & Ors. Vs. UOI & Ors.*** was filed before the Hon'ble Supreme Court of India regarding developing guidelines to manage the issue of free-ranging feral dogs, which pose potential threats to wildlife both within and outside protected areas.

11. It is submitted that the Hon'ble apex court, while hearing and disposing of the matter on 02.04.2025, gave the following direction:

*“Mr. R.Venkataramani, learned Attorney general of India has given a statement before this Court that he is in consultation with the relevant Ministries i.e. Ministry of Environment, Forest and Climate Change and Ministry of Fisheries Animal Husbandry and Dairying and talks are going on between them and in all likely hood guidelines will be framed within a period of six weeks from today.*

*... The present petition is disposed of in the above terms with the aforesaid liberty...”*

A copy of the order dated 02.04.2025 is placed at Annexure-1.



*KVK*  
**Dr. Khursid Alam Khan**  
 Scientist 'C'  
 Integrated Regional Office, Jammu  
 Ministry of Environment, Forest & Climate Change  
 Govt. of India

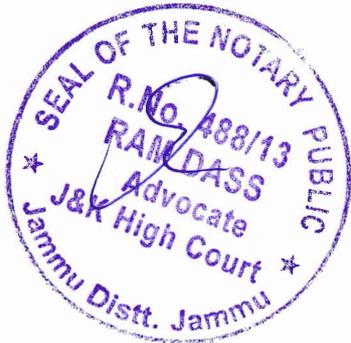
12. It is humbly submitted that the Ministry of Environment, Forests and Climate Change is duty-bound and fully committed towards the Conservation of flora and fauna of the country. That in light of the aforementioned facts and circumstances, it is respectfully prayed that this Hon'ble Tribunal may pass any order as it deems fit.

**DEPONENT**

**Dr. Khursid Alam Khan**  
Sceincist 'C'  
Integrated Regional Office, Jammu  
Ministry of Environment, Forest & Climate Change  
Govt. of India

**VERIFICATION**

Verified at Jammu on this 21<sup>st</sup> day of April, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge based on records and no part of it is false and nothing material has been concealed therefrom.



Solemnly Affirmed / Sworn before me  
Hence Attested

**NOTARY PUBLIC**  
Jammu Distt. Jammu

21/04/2025

**DEPONENT**

**Dr. Khursid Alam Khan**  
Sceincist 'C'  
Integrated Regional Office, Jammu  
Ministry of Environment, Forest & Climate Change  
Govt. of India

ITEM NO.5

COURT NO.12

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 97/2024

BOMBAY NATURAL HISTORY SOCIETY &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(FOR ADMISSION )

Date : 02-04-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA  
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) Mr. Arvind Datar, Sr. Adv.  
Ms. Madhusmita Bora, AOR  
Ms. Jannani M, Adv.  
Mr. Riju Raj Singh Jamwal, Adv.  
Mr. Pawan Kishore Singh, Adv.  
Mr. Bijoy Kumar Pradhan, Adv.  
Mr. Dipankar Singh, Adv.  
Ms. Pavithra V., Adv.

For Respondent(s) Mr. R.Venkataramani, AG  
Ms. Manisha T. Karia, Sr. Adv.  
Ms. Nidhi Nagpal, AOR  
Mr. Deepin Deepak Sahni, Adv.  
Ms. AMr. R.Venkataramani, nanya Arora, Adv.  
Ms. Shreya Gupta, Adv.  
Mr. Vishal Navale, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Mr. R.Venkataramani, learned Attorney general of India has given a statement before this Court that he is in consultation with the relevant Ministries i.e. Ministry of Environment, Forest and Climate Change and Ministry of Fisheries Animal Husbandry and Dairying and talks are going on between them and in all likely hood guidelines will be framed within a period of six weeks from today. Mr. Arvind Datar, learned senior counsel would, therefore, argue

that since this has come from the learned Attorney General of India there is nothing more to be said in this matter. However, it may be left open to the petitioners that in case, an occasion arise; then, will be at liberty to file fresh application/petition before this Court.

The present petition is disposed of in the above terms with the aforesaid liberty.

Pending application(s), if any, shall stand disposed of.

(NIRMALA NEGI)  
ASTT. REGISTRAR-cum-PS

(RENU BALA GAMBHIR)  
ASSISTANT REGISTRAR