

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

Original Application No. 163/2024

In the Matter of :

Rasikh Rasool Bhat

.....Applicant

Versus

Govt. of UT of J&amp;K and others

.....Respondent

**Reply/objections to the Report of Respondent No 2 ,4 and 5 submitted by Respondent no 5 i.e Executive Engineer R&B PWD Handwara.**

**RESPECTIFULLY SHOWETH.**

The Reply/objections by the Respondent no 5 ie Executive Engineer R&B PWD Handwara is submitted in total suppression of the facts with concealment of Environmental crimes, the content and Annexures are almost repetition of Reports of Respondent No 10 ie Member Secretary JKPC, which the Applicant has already replied/Objected and Rejoinder is also put on the record before the Hon'ble Tribunal. There is nothing compliance in the report/reply/objections and the same is also almost malicious personal attack to the applicant .

Applicant is replying and objecting as under

I. That Section 15.2.1 of NGT Act 2010 (Time-limit within Application is to be made) reads as under **"No Application for grant of any compensation or relief or restitution of property or environment under this section shall be entertained by the Tribunal unless it is made within a period of five years from the date on which the cause for such compensation or relief first arose."**

II. In the backdrop of Covid-19 pandemic situation and difficulties that might be faced by the litigants in filling petitions/Suits/Appeals /all other quasi proceedings within the period of limitation prescribed under the general law of limitation or any under Special laws for both Central and states/UTs , the Hon'ble Supreme court of India, in the matter of Miscellaneous Application No 21 of 2022 and others IN RE: cognizance for extension of limitations with miscellaneous Application No 29 of 2022.... In its order Dated January 10 2022 held as under:-

5.....

***The order dated 23.03.2020 is restored and its continuation of the subsequent orders dated 08.03.2021 ,27.04.2021 and 23.09.2021 . it is directed that the period from 15.03.2020 till 28.02.2022 shall stands excluded for the propose of limitation as may be prescribed under any General or Special laws in respect of all Judicial or quasi-Judicial proceedings***

Order annexed herewith as **ANNEXURE A**

iii. That present OA is in the case of two different matters connected to each other related to Environmental laws and other violations , one is about River Bed Mining another is construction of Handwara bangus Road.



iv That on 29/11/2023 it arose that River bed mining is being done near the vital bridges and roads on Bakiaker-Zachaldara Talri nallah on the disposal permit issued by the respondent no 9 in nexus with respondent No 5 and others and disposal permits in questions were mentioning Subject: Construction of Handwara Bangus Road and Subsequently on being visiting the site of impugned Road Project it was found large scale Environmental crimes thus cause for relief first arose on 29<sup>th</sup> of November 2023 and Applicant filled the OA before the Hon'ble Tribunal of 9<sup>th</sup> of February 2024

v. That Respondents stance "**that work on Road road project approved the year 2017 and petitioner is barred by the limitation**" is misleading as the matter of fact is since 2017 till 2019( issuance of Technical Forest Clarence) dated 24.09.2019. whole the process was internal within the different departments of the Government and when time arose to put this public domain or begin the construction work on road project it was curfew and complete communication blackout in J&K, in the interest of law and order due to the abrogation Article 370 and lockdown since 2020 to 2022 in the backdrop of Covid 19 pandemic. General Public remained unaware about overall happenings/Decisions of Government or activities in far of places like at the site of Handwara-Banugs Road in the very dense forest Areas of Rajwar

vi That as described from above point no. (i) to (V) it evident the instant OA is within the limitation and bonafide.

2. That as usual Respondent in a clear attack to Fundamental Rights and Fundamental duties of the Applicant, submitted an illogical, irrelevant and untrue statement that for the sake of gaining political mileage, applicant is using fourm etc Applicant is responding as under

I. That Applicant is a responsible and true patriotic citizen of India and being a voter of any Election commission of India's recognized political party is not any offence neither any law of land is barring such voters to approach any court of the law for any kind of relief.

II. That since the 2010 Applicant is contributing his time and efforts for the welfare of the state and has campaigned for establishment/implementation of constitution of India at grass-root in Handwara and others areas of J&K including the Article 48A and 51A (g) and successfully mainstreamed a great number of youth.

III. That disgraceful attempts and unlawful Anti-Democratic submissions by the Respondent won't deter the applicant to continue his law-abiding responsible Indian citizenry.

IV. That off course J&K's largest ECI's recognized political party National Conference, announced applicants name as YP Youth for North Kashmir, however it was done without the consent and knowledge of the Applicant, and Applicant has not accepted the post neither he joined any office of the same.

V. That if submissions of Respondents ie gaining of political mileage is having any iota of reality thn applicant was not in need to continue the Application before the Hon'ble tribunal as the matter of fact is that its right now, in J&K it is Govt of that particular party in J&K whom Respondent has accusing the Applicant is working for and thn I would be have just a 5 minutes task to get the cancellation of road project by the J&K Govt, However applicant wants justice on the basis of natural principles under the Provisions of NGT Act and relevant laws.

3. That as far as reply of Respondent related to the Applicants RTI Application is concerned, Applicant is submitting that respondent tried his best to settle the matter by repeated calls to visit his office to

negotiation , however applicant never turn up their requests and never visited Respondents office till date , however applicant has filled first appeal in the matter before Chief Engineer North Kashmir ( First Appellate Authority) but they didn't Heard the matter and as the matter of fact applicant has subsequently approached this Hon' ble tribunal ,hence he didn't file second appeal in the particular

RTI application First Appeal Document annexed herewith as **ANBEXURE B**

4. That respondents claim that impugned Road Project will serve as source of livelihood to the local people, It is submitted that actual fact is, this project will be proving snatching of livelihood of local people of Rajwar Area as the road project is by-passing whole local area of Rajwar and is passing through very dense forests with lot of curves and blind curves affecting habitat of wild Animals crossing 14 hectares of forest area of Rajwar where there is no scope of any livelihood for locals of the area.

5. That objectives of the forest clearance of the impugned Road project is clearly describing that Road project is Tourist corridor at par with Gulmarg therefore Respondents claim that road is also for Defense utility is also a blatant lie, because all the roads for Defense utility are constructed by Nodal Agency of Defense Authorities ie BRO , (Border Roads organization) not the local R&B PWD.and During the Applicant's more than one year research in terms of Different RTI Applications in different department he didn't found any document of any Defense Authority where in it is established that they are owing the claim of Respondents' so it is clearly evident Respondents' are using name of Defense Authorities unnecessarily to shield their scams , wrongdoings and environmental crimes, moreover Applicant is also submitting that there are lot of curves and blind curves on the impugned road project and road project is full of soil erosion and threat of Disaster is and will be always there and two other roads are also functional right now for Bangus one is also known as Handwara-Bangus road however difference is only that particular road project is operative from Mawar Nowgam Area of Handwara and same was built and maintained by BRO not R&B PWD and another road known as Chokibal Bangus is also operative same was also built by BRO and Applicant is having no objections with those roads, neither the applicant has ever filled any RTI or Grievance related to these two particular road projects.

6. That Applicant is further responding that his present OA is bonafide not only in the Public Interest but in the wild- Animals rights protection interest also and in the in environmental protection as well.

7. That Respondent no 5 deceitfully, ignored the Notices and hearings of Hon'ble Tribunal and now submitting that Road project is almost complete, which is clearly a willful disrespect to the Hon'ble Tribunal and matter of fact is soon it come to their Notice that matter is in the Court of NGT, the Respondent No 5 accelerated the pace of work and violated further all most environmental laws and eroded the large scale tree cutting evidences.

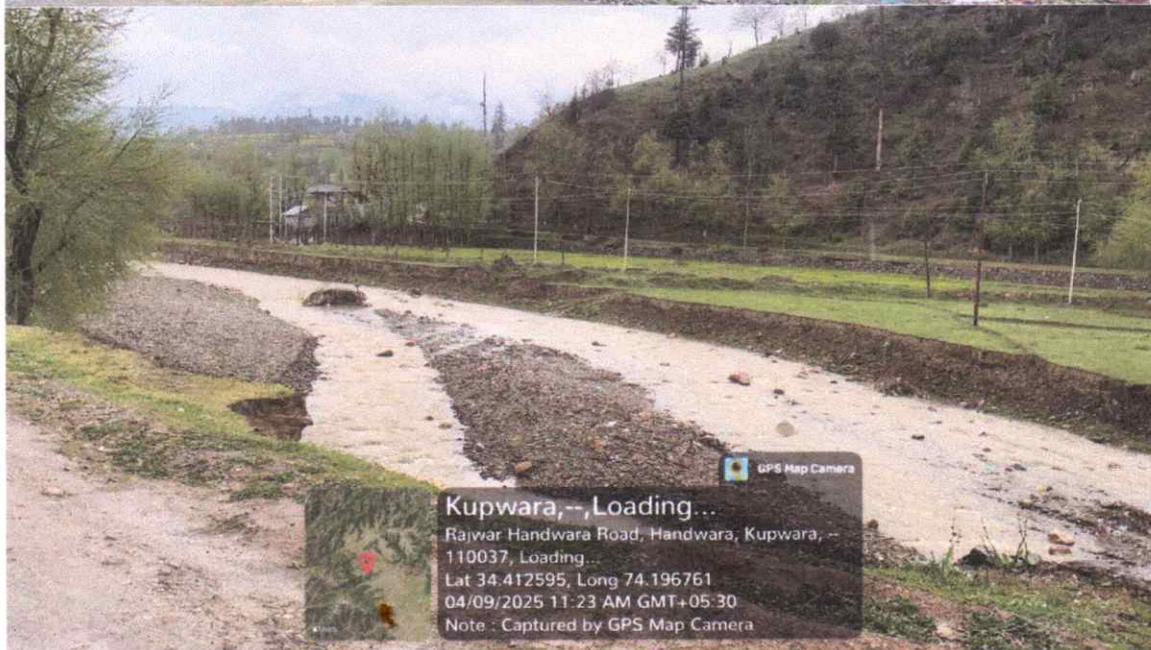
8. That Despite the fact Road project is in very dense environmental sensitive area large scale trees were supposed to cut and mountains were supposed to be blasted and deep earth cuttings were done but unfortunately no Environment Impact assessment was done and why the road project is a state-highway is already defined by the Applicant in Rejoinder to the reports of Respondent No 10 ie member Secretary JKPC, Same can be reflected on page no 195 .201 and page no 129.130 and 133

9. That why it is evident more than 25000 tress were cut/ uprooted is defined by the applicant with Physical position of the forests and Technical definitions' of the very dense forest as described by the forest survey of India, same can be reflected on page 196 and 202 of the instant matter.

10. That despite that fact Rule 94 of J&K Minor Mineral Concession Storage ,Transportation of minerals and prevention of illegal mining is stating that ***River bed material shall not be extracted up to a distance of 5 times of the span(X) of a bridge/Public civil Structure , (including water intake points) on up-stream side and ten times the span of such bridge on down-stream side, subject to a minimum of 250 meters on the up-stream side and 500 meters on the down stream side***..... Respondent no 5 being an Executive Engineer of R&B Division Handwara was supposed to protect the bridges and Roads etc but he misused his duties and permitted and recommended lifting of river bed material near and between two Bridges vide his order no 7215-18 dated 12/10/2023 "from Sultanpora-Galgazna Bridge to Dobighat Bridge on Bakiaker Zachaldara Nahllah ,that resulted huge damage to stream and river has changed and damage has been caused to River Banks, bridge columns supports and other structures

Order annexed herewith as **ANNEXURE C**

Below are the latest Pictures depicting the damage.



*Q. Anwar*

11. That Forest Clearance was granted by than Respondent No 1 in Wrong Guidance by the Respondent by 2,5 and by than Respondent No 6 in total Violation of rules despite that fact Proposal Put fourth before Forest Advisory Committee was mentioning that:-

4	<p>C. it is vulnerable to erosion whether it forms a part of serious eroded area or not</p> <p>e.Rare/endangered species of flora and funna found in the area.</p> <p>f. whether it is a habitat for migrating funna or forms a breeding group of them</p> <p>g.Any other feature of the area relevant to the proposal</p>	<p>C. The area is well protected by dense woody and thick undergrowth hence no erosion takes place , however earth excavation if permitted shall result landslides thus cent percent of heavy erosion</p> <p>e.Himalayan Black bear ,leopard, jackal ,Himaliyan deer, Himalayan snow cock (Jungle Fowl)</p> <p>f..... breeding ground of funna can not be ruled out.</p> <p>g. the proposed project will have adverse effect flora and fauna by way of disturbing natural habitat of indigenous /rare species of flora and fauna ,ecological balance and authenticity of the area will be adversely affected.</p>
---	--	---

Copy of proposal annexed herewith as **annexure D**

12. That due to the approval of Forest Clearance sudden Human-Animal Conflict incidents started happen in Rajwar localities , Office of the wildlife warden North Kashmir in an RTI Reply has revealed that since the 2017 till 15.02.2025 at least 128 number of Human Animal Conflict reported in Rajwar Area while 163 SOS calls have been received and 4 (four) persons have got killed by the Animals while 9 (nine) has been injured and two wild animals were also killed

RTI Reply Annexed herewith as **ANNEXURE E**

13. That Respondent No 5 and than Assistant Executive Engineer now Executive Engineer R&B Division Handwara and than DFO langate had misused their official positions and had given fraudulent minimum use of forest land certificate despite that fact Road known as Handwara-Zachaldara-Wadder Bangus was available it was only 6kms forest land required from wadderbala to connect bangus.

Certificate enclosed herewith as **ANNEXURE F**



14. That Respondent 5 who also Assistant Executive Engineer Of said Road Project his habitual of committing Environmental and other crimes and has misusing is official positions that resulted huge loss to Environmenthj and ecology and state exchequer his some of the documented offences are as under

- i. FIR no. 449/2018 dated 30.11.2018 has been registered against contractor and User Agency including than AEE now Executive Engineer for execution of the work on the road prior to approval/accord of the formal sanction from the competent authority
- ii. FIR no 239 of 2023 dated 25.10.2023 stands registered against construction etc for un-authorized in Knowledge with Respondent No 5
- iii. Five no of Fir trees of different class has been damaged in Compartment no 26
- iv. Un-Authorized earth cutting of 2 kanals by the User Agency at Compartment and damage to saplings

Official Document revealing these details is Annexed herewith as **ANNEXURE G**

- v. Moreover there is an Disproportionate Assets FIR registered at J&K Anti Corruption Bureau against than Assistant Executive Engineer and Now Executive Engineer R&B PWD Handwara, on the website of JK ACB FIR no is as 18/2022 ACB Baramulla Dated 01.07.2022

- vi. Earth cutting without permission of Geology and Manning

Document annexed herewith as **ANNEXURE H**

- V. Recently on 08.04.2025 men and machinery of construction Agency were found in illegal extraction of earth in which machine which machine was seized by the Geology Mining Department.

Seizure Memo Annexed herewith as **ANNEXURE I**

15. The above defined paragraphs/facts are evident that Report Submitted by the Respondent 5 is misleading and nothing material is in the report and they continued environmental crimes despite the fact matter is pending before the Hon'ble Tribunal'

#### PRAYER

Allow the OA and Forest Clearance may please be cancelled at first and prayers sought in the OA may please be granted and further investigation by JK Anti Corruption Bureau or CBI. Central Bureau Investigations may also please be ordered.

Dated: 15<sup>th</sup> of April 2025

Place: Ahgam Rajwar Handwara



Rasikh Rasool Bhat  
Applicant-in-Person

Ahgam Rajwar Handwara  
Kupwara 193221 J&K  
M.No. 9103097097

Email. rasikhrasool@gmail.com

## CIVIL ORIGINAL JURISDICTION

MISCELLANEOUS APPLICATION NO. 21 OF 2022  
IN  
MISCELLANEOUS APPLICATION NO. 665 OF 2021  
IN  
SUO MOTU WRIT PETITION (C) NO. 3 OF 2020

IN RE: COGNIZANCE FOR EXTENSION OF LIMITATION

WITH

MISCELLANEOUS APPLICATION NO.29 OF 2022  
IN  
MISCELLANEOUS APPLICATION NO. 665 OF 2021  
IN  
SUO MOTU WRIT PETITION (C) NO. 3 OF 2020

Order

1. In March, 2020, this Court took Suo Motu cognizance of the difficulties that might be faced by the litigants in filing petitions/ applications/ suits/ appeals/ all other quasi proceedings within the period of limitation prescribed under the general law of limitation or under any special laws (both Central and/or State) due to the outbreak of the COVID-19 pandemic.

Signature Not Verified  
Digitally signed by  
Vishal Anand  
Date: 2022.01.10  
21:54:44 IST  
Reason:

2. On 23.03.2020, this Court directed extension of the period of limitation in all proceedings before Courts/Tribunals including this Court w.e.f. 15.03.2020 till further orders. On 08.03.2021, the order dated 23.03.2020 was brought to an end, permitting the relaxation of period of limitation between 15.03.2020 and 14.03.2021. While doing so, it was made clear that the period of limitation would start from 15.03.2021.
3. Thereafter, due to a second surge in COVID-19 cases, the Supreme Court Advocates on Record Association (SCAORA) intervened in the *Suo Motu* proceedings by filing Miscellaneous Application No. 665 of 2021 seeking restoration of the order dated 23.03.2020 relaxing limitation. The aforesaid Miscellaneous Application No.665 of 2021 was disposed of by this Court *vide* Order dated 23.09.2021, wherein this Court extended the period of limitation in all proceedings before the Courts/Tribunals including this Court w.e.f 15.03.2020 till 02.10.2021.
4. The present Miscellaneous Application has been filed by the Supreme Court Advocates-on-Record Association in the context of the spread of the new variant of the COVID-19 and the drastic surge in the number of COVID cases across the country.



280  
Considering the prevailing conditions, the applicants are seeking

the following:

- i. allow the present application by restoring the order dated 23.03.2020 passed by this Hon'ble Court in Sua Motu Writ Petition (C) NO. 3 of 2020 ; and
  - ii. allow the present application by restoring the order dated 27.04.2021 passed by this Hon'ble Court in M.A. no. 665 of 2021 in Sua Motu Writ Petition (C) NO. 3 of 2020; and
  - iii. pass such other order or orders as this Hon'ble Court may deem fit and proper.
5. Taking into consideration the arguments advanced by learned counsel and the impact of the surge of the virus on public health and adversities faced by litigants in the prevailing conditions, we deem it appropriate to dispose of the M.A. No. 21 of 2022 with the following directions:

- i. The order dated 23.03.2020 is restored and in continuation of the subsequent orders dated 08.03.2021, 27.04.2021 and 23.09.2021, it is directed that the period from 15.03.2020 till 28.02.2022 shall stand excluded for the purposes of limitation as may be prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings.



- II. Consequently, the balance period of limitation remaining as on 03.10.2021, if any, shall become available with effect from 01.03.2022.
- III. In cases where the limitation would have expired during the period between 15.03.2020 till 28.02.2022, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 01.03.2022. In the event the actual balance period of limitation remaining, with effect from 01.03.2022 is greater than 90 days, that longer period shall apply.
- IV. It is further clarified that the period from 15.03.2020 till 28.02.2022 shall also stand excluded in computing the periods prescribed under Sections 23 (4) and 29A of the Arbitration and Conciliation Act, 1996, Section 12A of the Commercial Courts Act, 2015 and provisos (b) and (c) of Section 138 of the Negotiable Instruments Act, 1881 and any other laws, which prescribe period(s) of limitation for instituting proceedings, outer limits (within which the court or tribunal can condone delay) and termination of proceedings.



As prayed for by learned Senior Counsel, M.A. No. 29 of 2022 is  
dismissed as withdrawn.

.....CJI.  
(N.V. RAMANA)

.....J.  
(L. NAGESWARA RAO)

.....J.  
(SURYA KANT)

New Delhi  
**January 10, 2022**



First Appeal under section 2839 of RTI Act 2005 Annexure B

From: Adv. Rasikh Rasool Bhat S/o: Gh Rasool Bhat. R/o: 123 Main Road Ahgam Rajwar Handwara District Kupwara 193221 J&K Mobile No:- 9103097097 Email. [rasikhrasool@gmail.com](mailto:rasikhrasool@gmail.com)

To: First Appellate Authority Chief Engineer, Public works (R&B) Department North Kashmir, Baramulla.

PIO against whom the appeal is referred: PIO, Executive Engineer (R&B) Division Handwara

Ref: My Application for information under RTI Act 2005 Dated 29/11/2023 Addressed to PIO SE Public works R&B Department circle Kupwara, Transferred to PIO Executive Engineer (R&B) Division Handwara.

Sir,

Undersigned hereby submit an Appeal application with the following details that

- 1, I submitted an RTI application under RTI Act 2005 addressed to PIO, Superintending Engineer R&B circle Kupwara on 29/11/2023 (Copy enclosed marked as Annexure A and RTI Application Fee marked as Annexure B)
2. That SE R&B Kupwara, transferred my RTI application to Er.Farooq Ahmad Shah, Executive Engineer (R&B) Division Handwara on 02/05/2023 vide no 1312-3. With directions to Provide Information directly to applicant immediately (Copy enclosed marked as Annexure C)
3. That on 5<sup>th</sup> of December 2023 on received a communication via email from Executive Engineer (R&B) Division Handwara wherein I was asked to deposited Rs15000 for providing the information (Copy enclosed marked as Annexure D)

Facts leading to appeal:

1. PIO, Executive Engineer R&B Handwara's reply is irresponsible and misleading, because I was asked to deposited Rs.15000/= ambiguously / Generally without specifying that how many pages of print is required against each component/point and First Appellate Authority address contact etc details were not mentioned.
2. That no reply/Answer was provided to points/questions that wasn't required any print, like point number 1,5,6,8 and 9 of my RTI Application.

I attest that all the information in this First appeal Application, under section 19 of RTI Act 2005 is true and correct to best of my knowledge.



Rasikh Rasool Bhat



Government of (UT) Jammu & Kashmir  
OFFICE OF THE EXECUTIVE ENGINEER PWD(R&B) DIVISION HANDWARA

The District Mineral officer  
Geology & Mining Kupwara

No: 7215-18.  
Date: 12-10-2023.

Subject: Permission for lifting of river bed material (GSB) for construction of road  
From Handwara to Bangus phase 2<sup>nd</sup> vide Chief Engineers letter no  
CE/RBK/WS/14516-18 dated 02-08-2022.

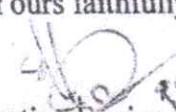
Sir,

The road from Handwara to Bangus is allotted to MS JK Construction company prop. Haji Abdul Rashid Dar under this division, the said road requires GSB that is to be laid by the contractor, the undersigned has directed to the said contractor for obtaining river bed material from Sultanpora Galgazna bridge. So that work can be completed within the stipulated time frame.

It is once again requested to your good self to provide sub base material (GSB) for the said project. Whereas it needs sub base material of 4500 cum from KM 10<sup>th</sup>-17<sup>th</sup>.

Kindly provide the said material on immediate basis. The royalty for material shall be deposited by the said contractor as per norms.

Yours faithfully,

  
Executive Engineer  
R&B Division Handwara.

Copy to the:

1. Superintending Engineer PW (R&B) circle kupwara for information
2. Additional Deputy commissioner Handwara for information
3. Assistant Executive Engineer R&B Sub division Handwara for information and follow up.



Proposal regarding transfer of Forest Land under Forest (conservation) Act 1997 to R & B Division Handwara for construction of road Handwara-Bangus Phase 1<sup>st</sup> from Km 01 to Km 35.5Kms. Width 05Metres. Total forest land involved 28Kms. **285**

*Annexure D*

01	Short narrative of proposal for which the road is required	Forest land measuring 14Ha from 01 Km to 35.5Kms(only 281 involved in Forest Land) and for Muck disposal NIL Ha so t area involved 14Ha is required by indenting agency construction of road from Handwara to Bangus within demarcated forest land in compartments 2, 3a,3b, 4, 5,6, 10, 12, 13, 14, 16, 15, 24, 25, 26/Rajwar. The road is stragetre important and shall play a virtual role in the defense level in area
02.	Location of forest land/Scheme i. State/Union territory ii. District iii. Forest division iv. Block v. Compartment	i. Jammu and Kashmir ii. Kupwara iii. Langate Forest Division. iv. Handwara, Baderkal, Wadder v. 2, 3a,3b, 4, 5,6, 10, 11, 12, 13, 14,15,16, 26/Rajwar
03	Total land required for project scheme along with existing land use.	28 Km of Forest land having width 05m,quantifying to 14Ha for Muck disposal NIL (Ha) within demarcated forest land u dense forest crop of over head conifer vegetation mainly Deo, Fir species. The forest area is instrumental in regulating sub- soil v regime. Ameliorating adverse climatic/ environmental e /factors; sustain/ facilitating biological diversity; stabilizing slopes, thus preventing soil erosion and above all scenic beau
4.	Details of Forest land involved: a. Legal Status of forest s (namely demarcated, un demarcated Beruine line etc) b. The detail of flora existing in the area including the density of the vegetation. Topography of the area indicating gradient, aspect, altitude etc  c. It's vulnerable to erosion whether it forms a part of seriously eroded area or not.  d. Whether it forms a part of a National Park, Wildlife Sanctuary, and Natural Reserve Biosphere Reserve etc if so details of the area involved. e. Rare/ Endangered species of flora and fauna found in the area. f. Whether it is a habitat for migrating fauna or forms a breeding group of them. g. Any other feature of the area relevant to the proposal.	a. Demarcated Forest.  b. Flora is predominated by Fir/deo/Kail sp intercepted by isolated young to mature trees of Sp Middle canopy comprises young deo poles, Vigorous saplings of fir/deo/kail and mature woody stemmed <u>Parrotia jacuemontian</u> and <u>viburnum species</u> Ground floor is carpeted with medicinal plants such as <u>Podophyllum hexandrum</u> , <u>scemia accotalia</u> . Density of top canopy ranges from 0.7-0.9 Gradient ranges from 1.9 to 1:12 Aspect of the area varies from South to South-Western.  c. The area is well protected by dense woody veg and thick undergrowth hence no erosion takes however earth excavation if permitted shall landslides thus cent percent chance of heav erosion  d. No  e. Himalayan Black Bear, leopard, Jackal, Himalaya deer, Himalayan Snow Cock (Jungle fowl)  f. Nothing has been documented on this account study has been undertaken; however, it being the or breeding ground of fauna cannot be ruled out.  g. The proposed project will have adverse effect t and fauna by way of disturbing natural habitat of indigenous/rare species of flora and fauna ec balance and authenticity of the area will be ac affected.

*[Handwritten signature]*

*[Handwritten signature]*



Department of Wildlife Protection J & K Government  
**OFFICE OF THE WILDLIFE WARDEN**  
**NORTH DIVISION SOPORE**

Email: wlnorth786@gmail.com  
\*\*\*\*\*

Annexure E

To,  
Shri, Rasikh Rasool Bhat.  
R/O: Ahgam, Rajwar, Handwara,  
Jammu & Kashmir.  
Pin-193221.  
Ph: 9103097097.  
Email: rasikhrasool@gmail.com.

Dated:- 15-02-2025.

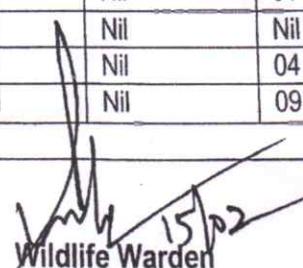
No:-WLW(N)Estt/2024-25/1162-63.

Subject: Your Application under RTI Act, 2005 (I.D No.02/25/07)

Sir,

Please refer your application dated: 17.01.2025 addressed to the undersigned and registered under this office I.D No cited above, regarding Man Animal Conflict information under RTI Act, 2005. The information asked for, as compiled from the office records is enclosed for reference as detailed below:

S.no	Information sought	Response																																															
01	How many Human-Animal conflict incidents occurred in the Rajwar Area of Langate forest Division since 2017 till date	(128) no of incidents have occurred in the RTajwar area since 2017.																																															
02	How many person lost their life and how many injured in Rajwar area due to Wild Animal attack, since 2017 till date.	(04)Four persons have been killed and (09) nine injured in human-wildlife conflict incidents in Rajwar area.																																															
03	How many SoS from Rajwar area received by the wild life authorities since 2017 till date provide details in year wise.	136 SOS calls have been received.																																															
04	How many Wild Animals were killed by Wildlife authorities since 2017 till date in the Rajwar Area, and how many were captured, provide the details year, and type killed and captured wild Animals.	The year wise details of wild-animals are below as under:- <table border="1"><thead><tr><th rowspan="2">S.no</th><th rowspan="2">Year</th><th colspan="2">Type of Death</th><th rowspan="2">Captured</th></tr><tr><th>Killed</th><th>Accidental</th></tr></thead><tbody><tr><td>01.</td><td>2017-18</td><td>Nil</td><td>02</td><td>03</td></tr><tr><td>02</td><td>2018-19</td><td>Nil</td><td>Nil</td><td>04</td></tr><tr><td>03</td><td>2019-20</td><td>Nil</td><td>Nil</td><td>01</td></tr><tr><td>04</td><td>2020-21</td><td>Nil</td><td>Nil</td><td>Nil</td></tr><tr><td>05</td><td>2021-22</td><td>Nil</td><td>Nil</td><td>01</td></tr><tr><td>06</td><td>2022-23</td><td>Nil</td><td>Nil</td><td>Nil</td></tr><tr><td>07</td><td>2023-24</td><td>01</td><td>Nil</td><td>04</td></tr><tr><td>08</td><td>2024-25</td><td>Nil</td><td>Nil</td><td>09</td></tr></tbody></table>	S.no	Year	Type of Death		Captured	Killed	Accidental	01.	2017-18	Nil	02	03	02	2018-19	Nil	Nil	04	03	2019-20	Nil	Nil	01	04	2020-21	Nil	Nil	Nil	05	2021-22	Nil	Nil	01	06	2022-23	Nil	Nil	Nil	07	2023-24	01	Nil	04	08	2024-25	Nil	Nil	09
S.no	Year	Type of Death			Captured																																												
		Killed	Accidental																																														
01.	2017-18	Nil	02	03																																													
02	2018-19	Nil	Nil	04																																													
03	2019-20	Nil	Nil	01																																													
04	2020-21	Nil	Nil	Nil																																													
05	2021-22	Nil	Nil	01																																													
06	2022-23	Nil	Nil	Nil																																													
07	2023-24	01	Nil	04																																													
08	2024-25	Nil	Nil	09																																													

  
Wildlife Warden  
North Kashmir Division  
Sopore

Copy for information submitted to the Regional Wildlife Warden, Kashmir Region Srinagar.





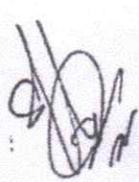
Governmer.  
OFFICE OF THE EXECUTIVE I

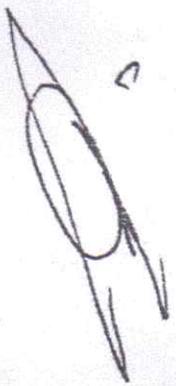
Kashmir  
& B DIVISION HANDWARA.

CERTIFICATE FOR MINIMUM USE OF FOREST LAND

This is to certify that all alternate alignments/locations have been tried and forest area of 14hac, involved in the proposal is unavoidable and barest minimum in the proposed diversion.

Date: 07-08-2017  
Place: Handwara

  
Executive Engineer  
R&B Division Handwara.



Counter Signed

Divisional Forest Officer,  
Langate Forest Division,  
Langate.

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

Email Id: dfolangatej@gmail.com



Annexure 6

The Executive Engineer,  
R&B Division, Handwara.

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.

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.

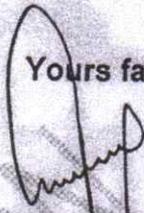
DFO

[Signature]

Annexure G

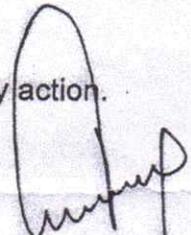
Since the matter is being monitored by the Hon'ble National Green Tribunal (NGT) and it becomes imperative to ensure that the work on the road is executed in accordance with the Government order as the violations cannot be compromised by Forest Department at any cost. Nevertheless, specific directions 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,

Derry

UNDER RTI INFORMATION



Annexure A

The Divisional Officer  
Pollution Control Board  
Kupwara

No: DMO/Kup/NGT/LC/24/ 228

Dated: 29/05/2024

Subject: O.A No: 163/2024 titled Rasikh Rasool Bhat V/s Union Territory of Jammu & Kashmir and Ors.

Reference: Letter from Member Secretary JKPC vide No: JKPC/Sc./OA 163-2024/24/26-28 dated: 27-05-2024.

Sir,

Kindly refer to the subject and reference captioned above. In this context it is to submit this office has not issued any permission for earth cutting during execution of Bangus road in compartment 25/Rajwar.

Yours faith fully

  
District Mineral Officer  
Geology & Mining Deptt  
Kupwara



Annexure I

No. 19754

The Station House Officer,

Police Station/Post Zachaldara

No. DGM/JDK/Seizure/54/kup

Dated 08/04/2025

Subject : Seizure of Vehicle/Machine/ Mineral/Tool

In exercise of powers conferred on me vide the Mines & Minerals (Development & Regulation) Act, 1957 under section 21 (4) delegated under the J&K Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 issued vide SRO 105 of 2016, I have seized the following Vehicle/s, Machine/s, Mineral/s, and/or Tool/s who was/were found involved in illegal extraction/ transportation/storage of Major/Minor Minerals without any lawful authority in contravention to the MM (D&R) Act, 1957 and their details are as under :

S.No.	Name & Address of Owner/Driver	Name & Reg. No. of Vehicle/ Machine/ Mineral Tool	Location of Seizure	Mineral		Reason of Seizure (illegal extraction/ transportation/ storage)
				Name	Quantity (MT)	
01	<u>Aqub Majid</u> <u>S/O AB-Majid</u>	<u>HAR3ARSSVOR8</u>	<u>Bangor Road</u>	<u>Ordinary Earth</u>	<u>70 to 80</u>	<u>Illegal Extraction</u>
02	<u>R/O Belwat</u> <u>Ramban</u>	<u>1009R</u> <u>(JOB)</u>	<u>KD-11 (Mogwan)</u>	<u>Ordinary Earth</u>	<u>70 to 80</u>	<u>Illegal Extraction</u>
03						

Therefore, the Vehicle/s, Machine/s, Mineral/s, and/or Tool/s, etc. is/are sent to you through

Sh. Ajaz Ahmad Belt No. 5034 for retention in the Police Station/Post.

[Signature]  
Authorized Officer  
Geology & Mining Department  
Jammu & Kashmir Government

Copy to :

- Sh. Aqub Majid S/O AB-Majid R/O Belwat Ramban

..... for information so as to present himself before the Competent Authority, Geology & Mining Department, Sanat Ghar, Bemina, Srinagar on 10/04/25 during office hours for compounding of offence failing which further action shall be initiated in the court of law under the powers vested.

[Signature]

Authorized Officer