

**BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI.**

Execution Application .No. 26 of 2025 in OA No.351 of 2019

Raja Muzaffar Bhat

..... **Petitioner/Applicant**

VS


UT of Jammu & Kashmir & Or.

..... **Respondent(s)**

IN THE MATTER OF:-

INDEX

S.No	Particulars	Page Nos
1	Reply on behalf of Respondent No. 1 and 3, Union Territory of Jammu & Kashmir to the additional affidavit dated: 26.08.2025 filed by the applicant	1-6
2	Affidavit	7-8
3	ANNEXURE-R-I Communication of PCCF Wildlife (Chief Wild life Warden) UT of J&K received vide No. WLP/Legal/2026/32 dated: 25.03.2026.	9-15
4	ANNEXURE-R-II Communication of Wular Conservation and Management Authority, Kashmir, UT of J&K received vide No. PC/CAT/WUCMA/2025-26/2166-69 dated:12.02.2026	16-19


 Respondent No. 1 and 3
 Union Territory of Jammu & Kashmir
 Through Counsel.

Dated 08.04.2026

Gautam Singh Advocate
Chamber No.71, Supreme Court
Compound, Supreme Court of India.

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

Execution Application No. 26 of 2025 in O.A. No. 351 of 2019.

IN THE CASE OF

Raja Muzaffar Bhat

..... (Applicant)

Versus

Union Territory of Jammu & Kashmir & Ors(Respondents)

**IN THE MATTER OF:-Reply/response on behalf of Respondent No.1 and
3 Union Territory of J&K to the additional
Affidavit dated: 26.08.2025 filed by the applicant
in the above titled execution application.**

May it please your Lordship:-

The answering respondents most respectfully submit the point wise reply as under.

1. That the above titled execution application is pending disposal before the Hon'ble National Green Tribunal Principal Bench, New Delhi since 2025.
2. That the contents of Point one pertains to the matters of record and, to that extent, require no specific reply. It is respectfully submitted that the Respondent Department remains fully compliant with the orders and directions passed by this Hon'ble Tribunal from time to time.
3. That the contents of para/point two pertains to the allegation that no steps have been taken despite service of notices is categorically denied. It is respectfully submitted that no designated dumping site exists within the demarcated boundaries of **Hokersar Wetland or Kranchoo-Chandhara Wetland**. There is also no legacy waste dumping site within the notified wetland areas under the jurisdiction of the Department of Wildlife Protection. The allegations are not based on facts, therefore denied.
4. That it is further submitted that certain habitations exist around the peripheral zones of the wetlands. In isolated instances, minor littering along outer fringes has been noticed. Such instances are promptly addressed through periodic clearance drives. Notices are served wherever required, and strengthened patrolling mechanisms have significantly improved compliance and deterrence.

Reply to Point Three

5. That the allegations made by the applicant that Rs. 46.70 Crores have already been released in favour of the Wetlands Division is factually incorrect and misleading. As clarified in the earlier affidavit filed before this Hon'ble Tribunal, there has been no lump-sum release of funds. During the last four financial years, a cumulative amount of Rs. 11.65 Crores has been released in phased manner under approved financial heads. Funds are released strictly on the basis of Annual Plans of Operation and subject to administrative and financial approvals

B. Sharma
Under Secretary to
Forest, Ecology &
Deptt

Reply to Point Three (i) – Demarcation and Boundary Measures

6. That it is further respectfully submitted that demarcation of the wetlands has already been conducted. KML files and digital demarcation records are available with the Department. However, certain localized disputes have been raised by individuals contesting portions of the demarcation. In this regard, the Divisional Administration has taken cognizance, and the Additional Commissioner Kashmir has constituted a Committee under the Chairmanship of Deputy Commissioner Budgam to examine and resolve the issues in consultation with stakeholders.
7. That as regards boundary strengthening, approximately 2,500 running feet (RFT) of chain-link fencing has been newly constructed, and nearly 350 RFT has been upgraded or repaired to reinforce boundary protection.

With regard to the floating solid waste trash barrier, it is clarified that the structure is flexible and designed to intercept floating waste during normal flow conditions. During periods of excessive water thrust and rising water levels, temporary dislocation of hinges may occur. Such instances are immediately rectified. The allegation that the structure has been permanently damaged is baseless and unsupported by factual verification. The reply received from PCCF Wildlife (Chief Wildlife Warden) Vide No. WLP/Legal/2026/32 dated: 25.03.2026 is enclosed herewith and marked as **Annexure R-I**

Reply to Point Three (ii) – Wular Lake

8. That it is respectfully submitted that matters pertaining to Wular Lake fall within the jurisdiction of the Wular Conservation and Management Authority (WUCMA). The earlier solid waste dumping site at Zal, Bandipora which was located within the Wular lake boundary has been permanently closed. The said site has been cleared and restored and no further dumping is taking place at that location. Presently the solid waste disposal is being carried out at a site located at Bandipora Bund side comprising 35 kanals of land allocated by the District administration. The said site is also Zalwan but is situated approximately 1,650 feet (about 503 meters) from the demarked boundary of Wular and lies out -side both the notified wetland boundary and its/zone of influence, thereby ensuring compliance with the wetlands (Conservation and Management) Rules, 2017 Wetlands Division does not exercise direct administrative control over Wular Lake. It is further submitted that no illegal dumping is permitted within notified wetland boundaries of the wetlands. Copy of the communication received Wular Conservation and Management Authority Kashmir vide No.PC/CAT/WUCMA/2025-26/2166-69 dated: 12.02.2026 is enclosed herewith and marked as **Annexure- R-II**

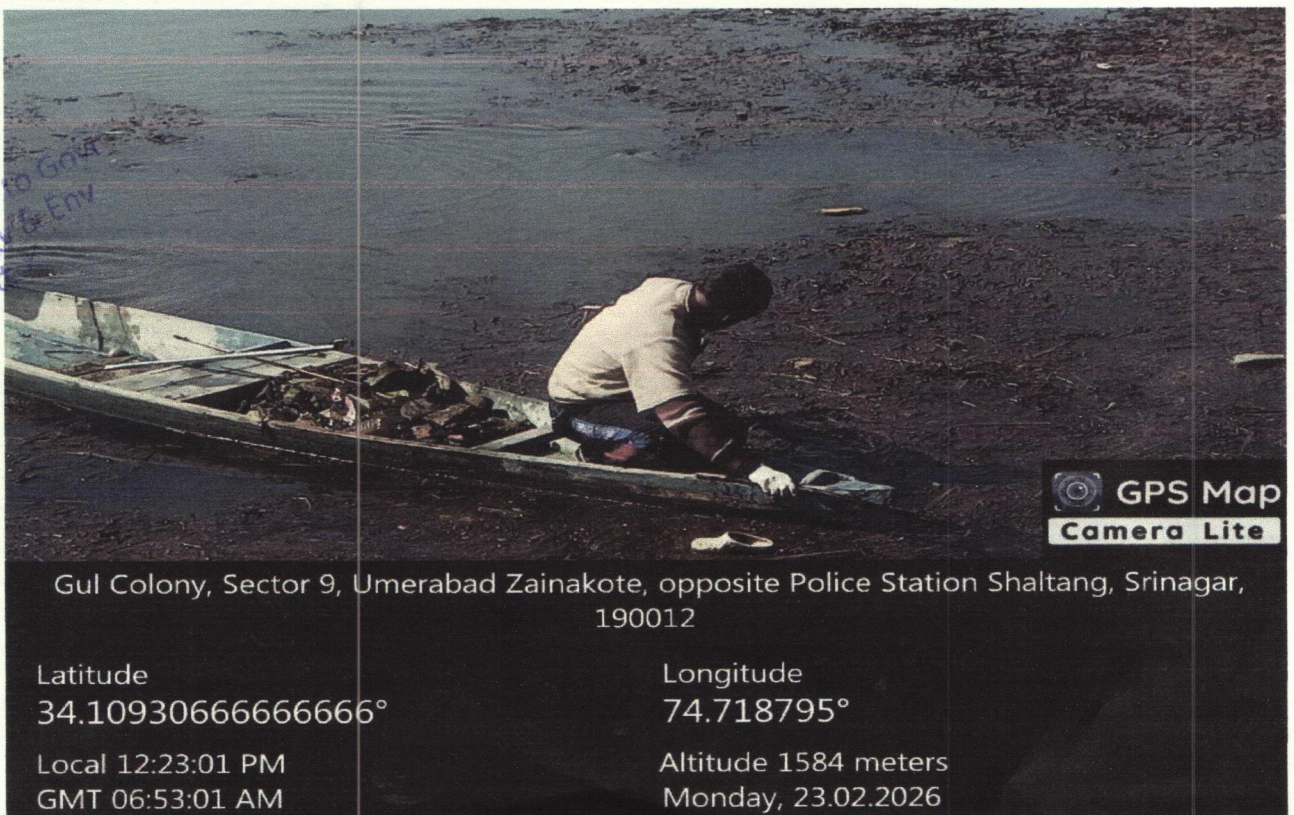
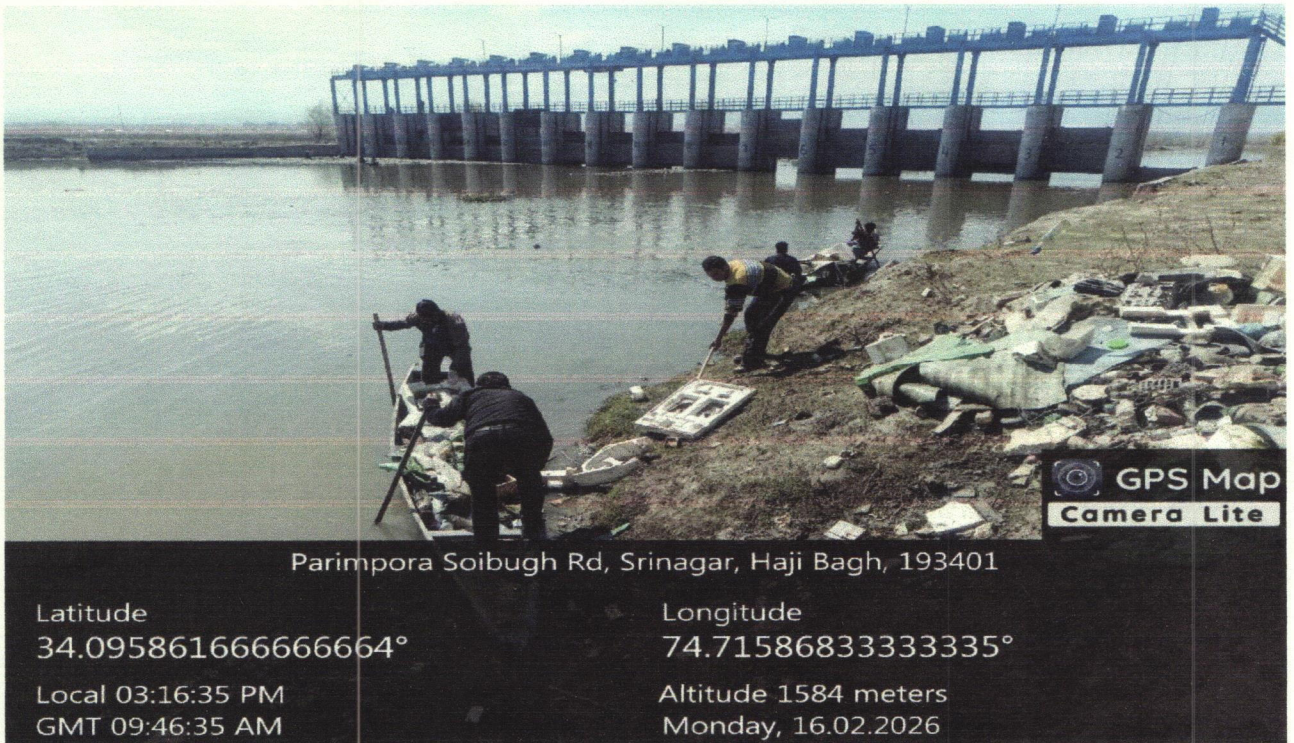
Reply to Point Three (iii) – Kranchoo - Chandhara Wetland

The allegation that illegal road construction has taken place within the wetland for transportation of soil from illegal mining is categorically denied. No new road has been constructed or permitted within the demarcated wetland boundary under the jurisdiction of the Department. The track shown in photographs is an old track predating

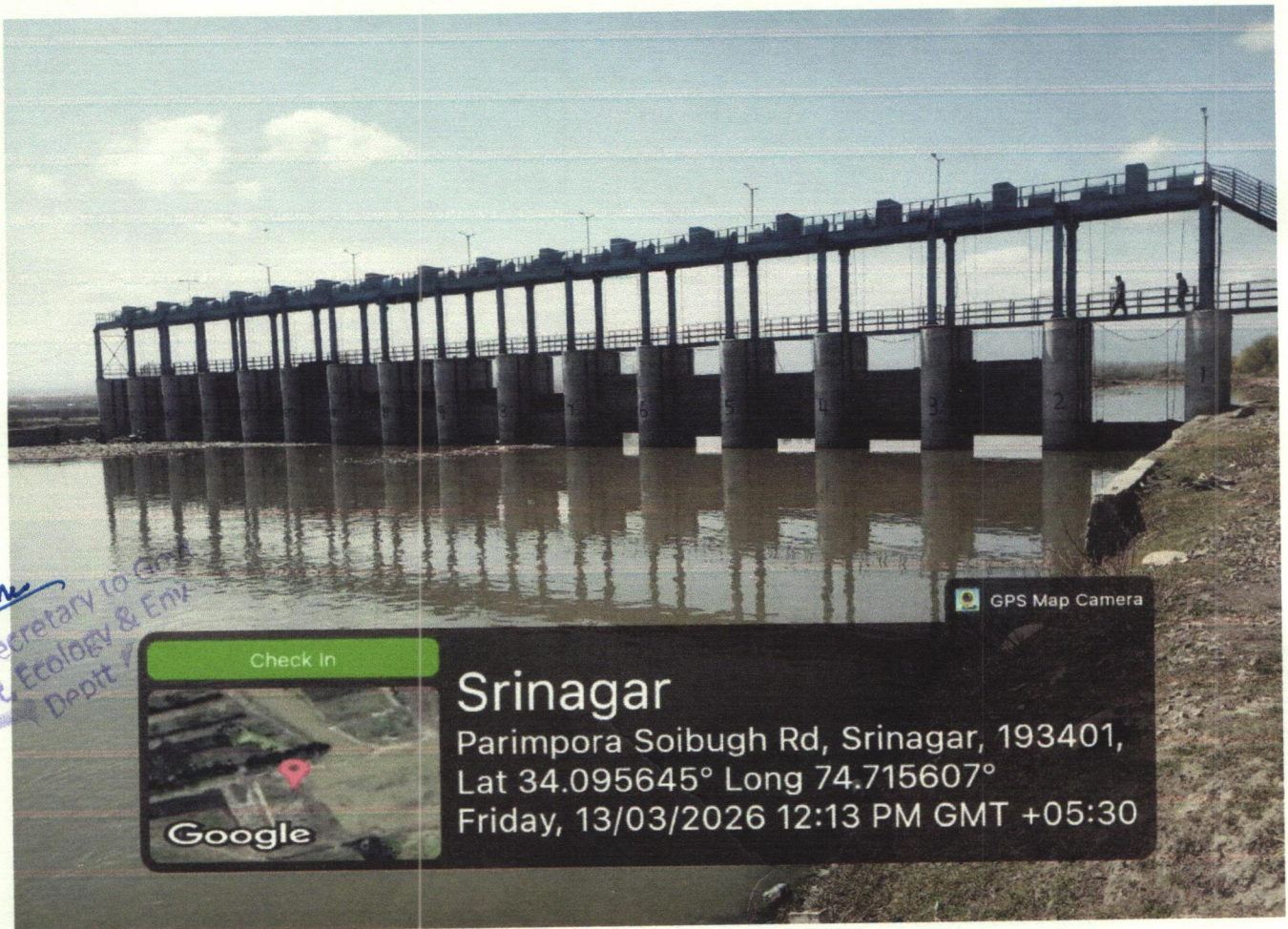
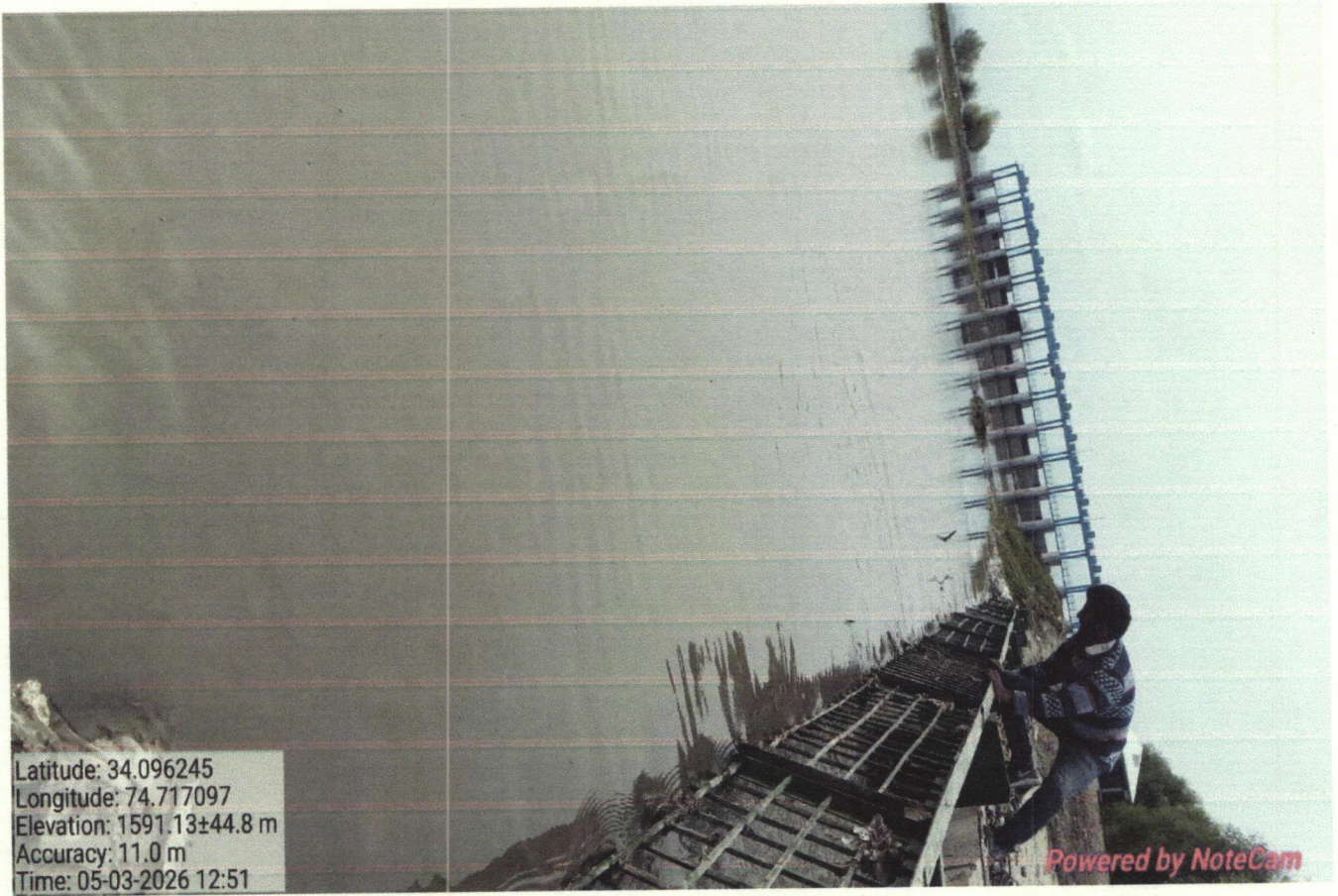
the Department's takeover of the wetland land in 2013 and lies outside demarcation limits of wetland.

9. That in reply to the contents of the aforesaid additional affidavit it is respectfully submitted that the majority of the assertions made in said Affidavit is either based on incomplete appreciation of facts or are factually incorrect. The Respondent Department has been consistently undertaking conservation, restoration, monitoring, and compliance measures in accordance with statutory mandate and judicial directions.
10. That it is respectfully submitted that the allegations made in the said Additional Affidavit do not disclose any willful non-compliance on the part of the respondents. Therefore the contents are vehemently denied and the said execution application deserves to be disposed of.

Photographic evidences:


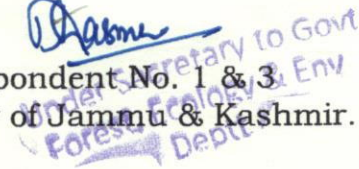






An affidavit in support of this reply/response is enclosed herewith.

It is therefore, humbly prayed that the reply on behalf of respondent No.1 and 3 Union Territory of J&K to the additional affidavit dated 26.08.2025 filed by the applicant in the above titled execution application may kindly be taken on record and disposed of the same.


Respondent No. 1 & 3
Union Territory of Jammu & Kashmir.


Through Counsel

Dated 08 .04.2026

Gautam Singh Advocate
Chamber No. 71, Supreme
Court Compound,
Supreme Court of India
Contact No. 9970179706.
Email@gautamsinghh.com

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

Execution Application No. 26 of 2025 in O.A. No. 351/2019

IN THE CASE OF:

Raja Muzaffar Bhat

....**APPLICANT/PETITIONER**

VS

UT of Jammu & Kashmir & Ors.

.....**RESPONDENTS**

**IN THE MATTER OF: AFFIDAVIT IN SUPPORT OF ACCOMPANYING
REPLY/RESPONSE.**

I, Raj Kumar age 49 years S/o Shri Balkrishan presently posted as Under Secretary to the Government, Forest, Ecology & Environment Department, UT of Jammu & Kashmir hereby solemnly affirm and declare as under

1 That I am presently posted as Under Secretary to the Government, Forest, Ecology & Environment Department, UT of Jammu & Kashmir and is well conversant with the facts and circumstances of the present case and is thus competent and duly authorized to depose the same on the present affidavit.

2 That I have gone through the contents of the accompanying reply/response.

3 That all statements of facts made by the deponent are true to my personal knowledge and all the statements of law are correct according to the information received by me from Department and I believe the same to be true.

4 That the contents of the accompanying application may kindly be read as part of the present affidavit as the same are not being repeated herein for the sake of brevity and to avoid prolixity.

VERIFICATION:-

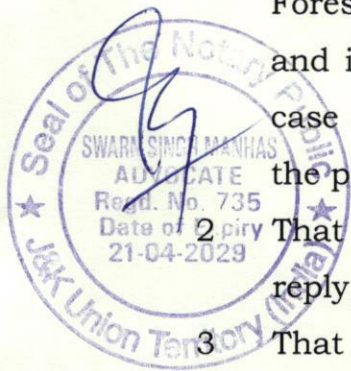
I, the above-named deponent do hereby verify that the contents of the above affidavit from Para 1 to 4 are true and correct to the best of my knowledge and belief and nothing material has been concealed herein.

Verified at Jammu on this 20th th Day of April, 2026.

[Signature]
DEPONENT
Under Secretary to Govt
Forest, Ecology & Env
Deptt

[Signature]
DEPONENT
Under Secretary to Govt
Forest, Ecology & Env
Deptt

[Signature]
Solemnly Affirmed with Dep...
20/4/2026
NOTARY JAMMU



Annexure R-I ⑨

901

GOVERNMENT OF JAMMU & KASHMIR
OFFICE OF THE PR. CHIEF CONSERVATOR OF FORESTS (WILDLIFE)/
CHIEF WILDLIFE WARDEN

The Commissioner / Secretary to Government
Forest, Ecology and Environment Department
Civil Secretariat J&K

No: WLP/Legal/2026/32

Date: 25.03.2026

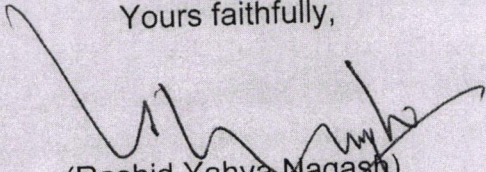
Subject: Submission of parawise counter reply on behalf of Respondent No. 1 and 3 to the Additional Affidavit dated 26.08.2025 filed by the applicant in the case "E.A. No. 26/2025 in O.A. No. 351/2019 titled Raja Muzaffar Bhat Vs State of Jammu and Kashmir and others".

Madam,

Kindly refer to the subject cited above, in this regard, I am directed to enclose a copy of draft parawise counter reply in the above titled case for your kind perusal and necessary action. The case is now listed for hearing on 19.05.2026 in the Hon'ble Court of National Green Tribunal (NGT).

Yours faithfully,

Encl: as above


(Rashid Yahya Naqash)
Regional Wildlife Warden
Headquarters J&K 25/3

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

IN THE CASE OF

Raja Muzaffar Bhat

Execution Application No. 26 of 2025

in

Original Application No. 351 of 2019

(Applicant)

Versus

Union Territory of Jammu & Kashmir & Ors. (Respondents)

IN THE MATTER OF:- Reply/response on behalf of Respondent No.1
and 3 Union Territory of J&K to the additional
Affidavit dated: 26.08.2025 filed by the
applicant in the above titled execution
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May it please your Lordship:-

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wise reply as under.

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- 3 That the contents of para/point two pertains to the allegation that no steps have been taken despite service of notices is categorically denied. It is respectfully submitted that no designated dumping site exists within the demarcated boundaries of **Hokersar Wetland or Kranchoo-Chandhara Wetland**. There is also no legacy waste dumping site within the notified wetland areas under the jurisdiction of the Department of Wildlife Protection. The allegations are not based on facts, therefore denied.
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Reply to Point Three

- 4 That the allegations made by the applicant that Rs. 46.70 Crores have already been released in favour of the Wetlands Division is incorrect and misleading. As clarified in the earlier affidavit filed before this Hon'ble Tribunal, there has been no lump-sum release of funds. During the last four financial years, a cumulative amount of Rs. 11.65 Crores has been released in phased manner under approved financial heads. Funds are released strictly on the basis of Annual Plans of Operation and subject to administrative and financial approvals

Reply to Point Three (i) - Demarcation and Boundary Measures

- 5 That it is further respectfully submitted that demarcation of the wetlands has already been conducted. KML files and digital demarcation records are available with the Department. However, certain localized disputes have been raised by individuals contesting portions of the demarcation. In this regard, the Divisional Administration has taken cognizance, and the Additional Commissioner Kashmir has constituted a Committee under the Chairmanship of Deputy Commissioner Budgam to examine and resolve the issues in consultation with stakeholders.
- 6 That as regards boundary strengthening, approximately 2,500 running feet (RFT) of chain-link fencing has been newly constructed, and nearly 350 RFT has been upgraded or repaired to reinforce boundary protection.

With regard to the floating solid waste trash barrier, it is clarified that the structure is flexible and designed to intercept floating waste during normal flow conditions. During periods of excessive water thrust and rising water levels, temporary dislocation of hinges may occur. Such instances are immediately rectified. The allegation that the structure has been permanently damaged is baseless and unsupported by factual verification.

Reply to Point Three (ii) - Wular Lake

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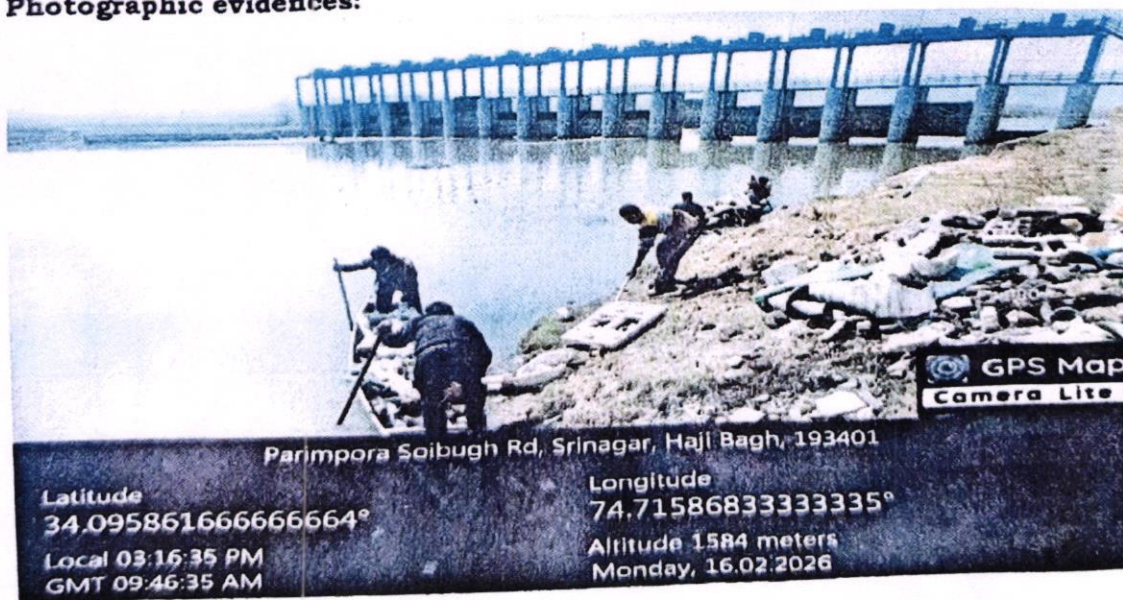
boundary and its/zone of influence, thereby ensuring compliance with the wetlands (Conservation and Management) Rules, 2017 Wetlands Division does not exercise direct administrative control over Wular Lake. It is further submitted that no illegal dumping is permitted within notified wetland boundaries of the wetlands. Copy of the communication received Wular Conservation and Management Authority Kashmir vide No. PC/CAT/WUCMA/2025-26/2166-69 dated: 12.02.2026 is enclosed herewith and marked as **Annexure- R-II**

Reply to Point Three (iii) – Kranchoo-Chandhara Wetland

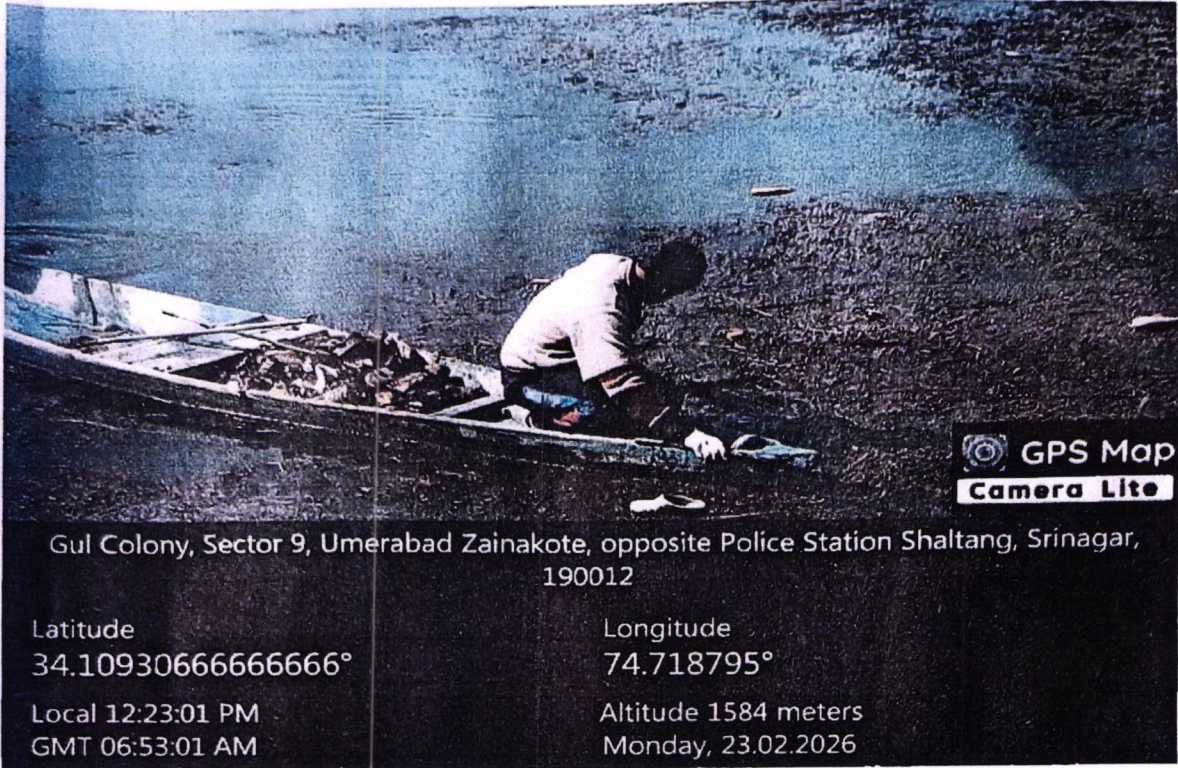
The allegation that illegal road construction has taken place within the wetland for transportation of soil from illegal mining is categorically denied. No new road has been constructed or permitted within the demarcated wetland boundary under the jurisdiction of the Department. The track shown in photographs is an old track predating the Department's takeover of the wetland land in 2013 and lies outside demarcation limits of wetland.

- 7 That in reply to the contents of the aforesaid additional affidavit it is respectfully submitted that the majority of the assertions made in said Affidavit is either based on incomplete appreciation of facts or are factually incorrect. The Respondent Department has been consistently undertaking conservation, restoration, monitoring, and compliance measures in accordance with statutory mandate and judicial directions.
- 8 That it is respectfully submitted that the allegations made in the said Additional Affidavit do not disclose any willful non-compliance on the part of the respondents. Therefore, the contents are vehemently denied and the said execution application deserves to be disposed of.

Photographic evidences:



[Handwritten signature]



GPS Map
Camera Lite

Gul Colony, Sector 9, Umerabad Zainakote, opposite Police Station Shaltang, Srinagar,
190012

Latitude
34.10930666666666°

Longitude
74.718795°

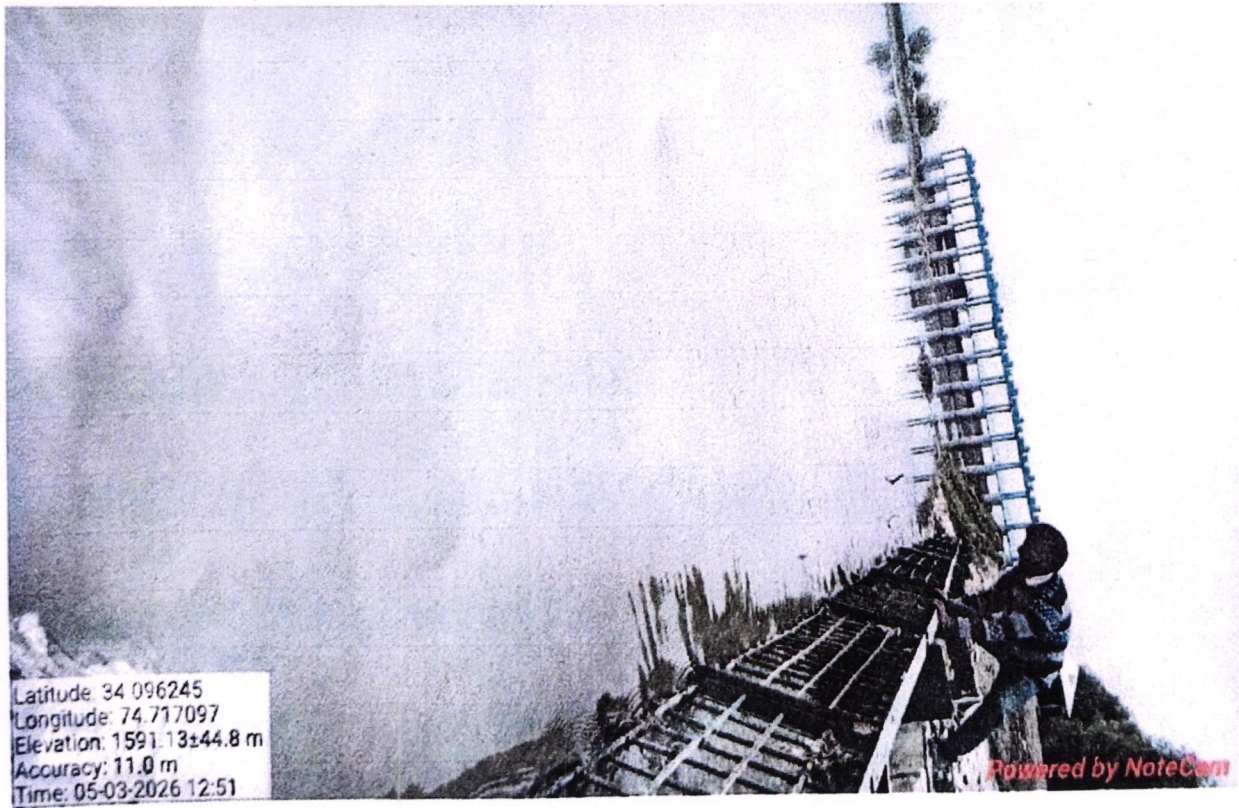
Local 12:23:01 PM
GMT 06:53:01 AM

Altitude 1584 meters
Monday, 23.02.2026

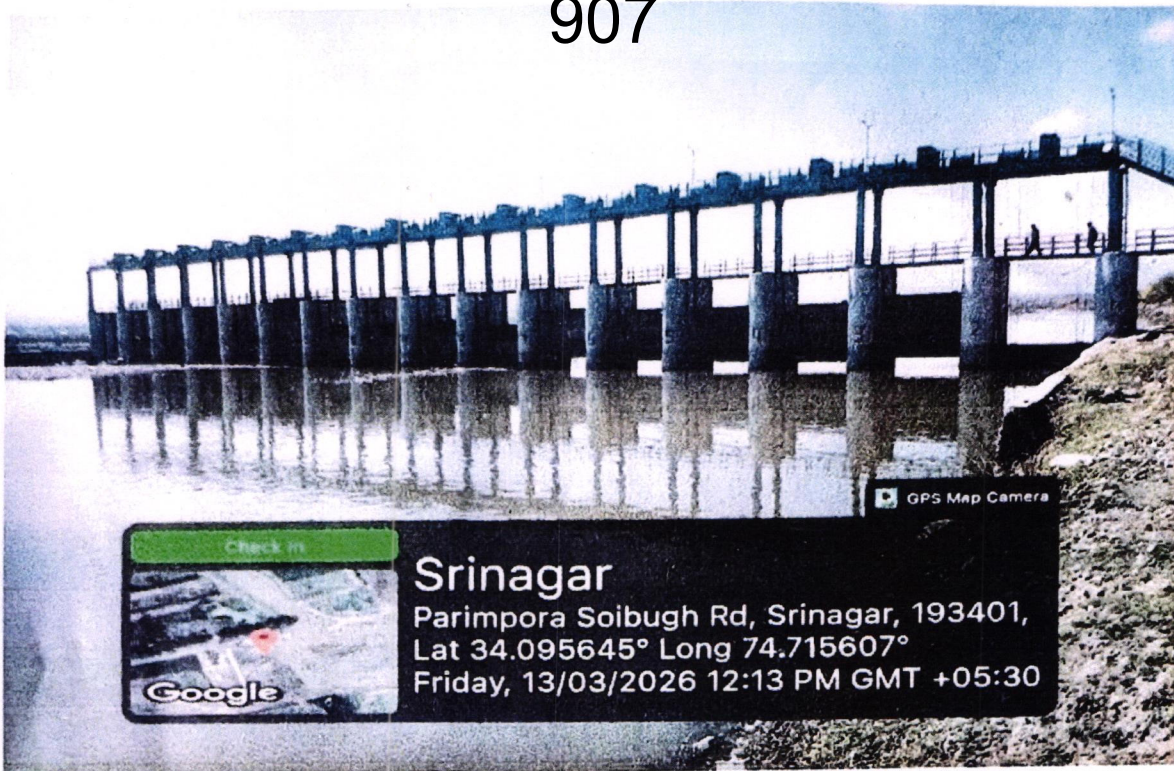


Latitude: 34.096285
Longitude: 74.71757
Altitude: 1557.5±49.8 m
Accuracy: 9.4 m
Time: 05-03-2026 13:18

Handwritten signature

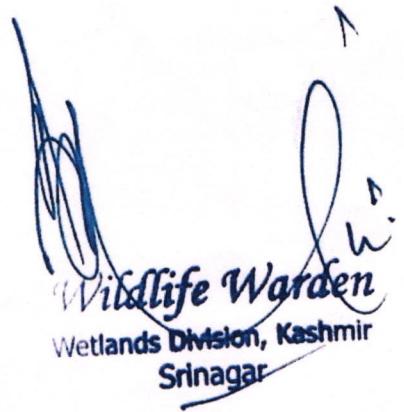


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An affidavit in support of this reply/response is enclosed herewith.

It is therefore, humbly prayed that the reply on behalf of respondent No.1 & 3 Union Territory of J&K to the additional affidavit dated 26.08.2025 filed by the applicant in the above titled execution application may kindly be taken on record and disposed of the same at an earliest.


Wildlife Warden
Wetlands Division, Kashmir
Srinagar



Government of Jammu & Kashmir
Office of the Wular Conservation and Management Authority Kashmir

The Under Secretary to Government,
Department of Forests, Ecology and Environment,
Civil Secretariat, J and K.

No. PC/CAT/WUCMA/2025-26/ 2166-69

Dated:- 12 -02-2026

Subject: E.A. No.26/2025 in O.A. No.351/2019 titled Raja Muzaffar Bhat Vs State of Jammu and Kashmir & Ors.

Reference: Your office letter No: FST-Lit/82/2025(7629435) dated: 19-11-2025.

Sir,

With reference to the subject matter, kindly find herewith the response in respect of this authority as under:

Point No. 6 (ii)-Wullar Lake	Response
The dumping of municipal solid waste in the Wular lake, which is a Ramsar Site is still continuing. No steps have been taken by the Municipal Council Bandipora.	<p>It is respectfully submitted that, in compliance with the submissions made before the Hon'ble National Green Tribunal in O.A. No. 351/2019, the earlier solid waste dumping site at Zalwan, Bandipora, which was located within the Wular Lake boundary, has been permanently closed. The said site has been cleared and restored, and no further dumping is taking place at that location (photographs enclosed as Annexure-1).</p> <p>Subsequently, as communicated by the Municipal Committee Bandipora vide letter No. MC/Bpr/Esst/20/1001-05 dated 04.08.2020, solid waste disposal is presently being carried out at a site located at Bandipora Bund side, comprising 35 kanals of land allocated by the District Administration. The said site is also at Zalwan but is situated approximately 1,650 feet (about 503 meters) from the demarcated boundary of Wular Lake and lies outside both the notified wetland boundary and its buffer/zone of influence, thereby ensuring compliance with the Wetlands (Conservation and Management) Rules, 2017 .</p> <p>It is further submitted that the present Bandipora Bund side site at Zalwan is an interim arrangement also. The District Administration has identified an alternative site measuring 20 kanals at Mader Kunan (Kunan), Bandipora, for establishment of a permanent Solid Waste Management facility. The Chief Executive Officer, Municipal Council Bandipora, vide letter No. MC/BPR/G/2025/3293-96 dated 12.08.2025, has reported that the said site has been earmarked for setting up a comprehensive Solid Waste Management Plant. The development of this facility requires substantial financial resources, and reasonable time has been sought to operationalize a permanent waste management system at a location further away from the periphery of Wular Lake. The attached Figure II map confirms the spatial location of the current site relative to Wular Lake's boundaries. (Annexure-II)</p>

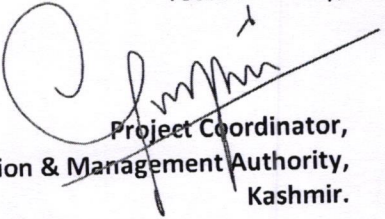
CA

It is, therefore, clarified that:

- The earlier dumping site at Zalwan within proximity to the Wular boundary has been permanently closed and cleaned.
- The current waste disposal arrangement at Bandipora Bund side in the same locality of Zalwan is located approximately 503 meters outside the notified wetland and buffer boundaries and is compliant with applicable wetland regulations.
- The process of shifting to a permanent Solid Waste Management facility at Kunan, Bandipora, further away from Wular Lake, is underway in coordination with the District Administration.

This demonstrates that no dumping presently takes place within the notified wetland boundary of Wular Lake, and steps are being taken to establish a scientifically managed, permanent facility in accordance with environmental norms.

Yours faithfully,



Project Coordinator,
Wular Conservation & Management Authority,
Kashmir.

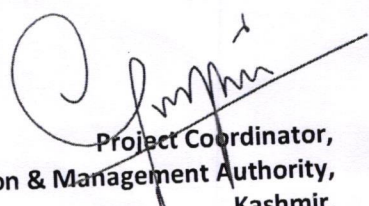
Copy to the:

1. Chief Executive Director, Wular Conservation & Management Authority, Kashmir for favour of information please.
2. Member Secretary, J&K Pollution Control Committee for favour of information please.
3. Coordinator, Water Management, WUCMA for information.

Annexure-1



Figure 1: Before and after images of Waste dumping site at Zalwan located within wular Lake boundary and which stands relocated now.


Project Coordinator,
Wular Conservation & Management Authority,
Kashmir.

Annexure-II

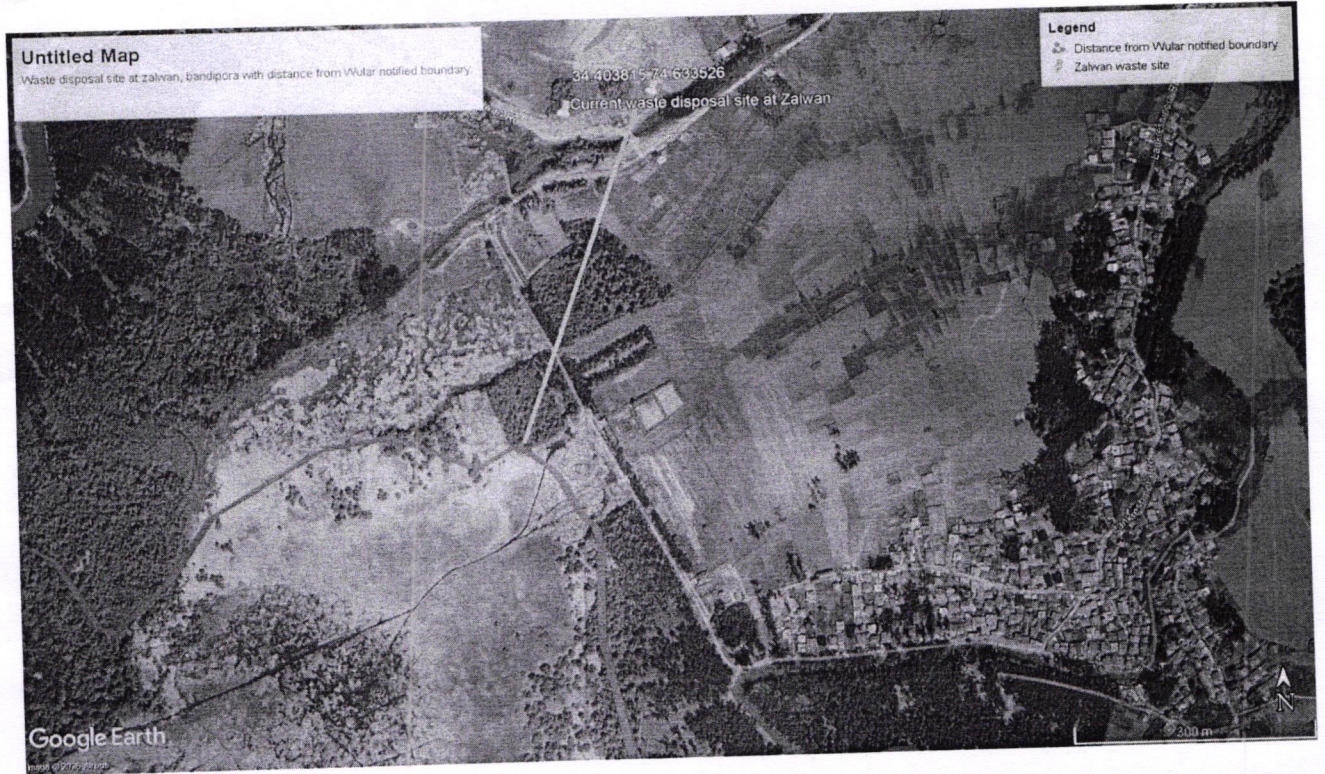
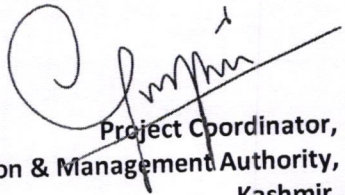


Figure 2: The spatial location of the current waste dumping site at Zalwan relative to Wular Lake's boundaries (in red).


Project Coordinator,
Wular Conservation & Management Authority,
Kashmir.