

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

O.A.No. 163/2024

Rasikh Rasool Bhat & Ors

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

VS

UT of Jammu & Kashmir & Or.

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

IN THE MATTER OF:-

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Commissioner /Secretary to the Government,
Forest, Ecology & Environment Department,
UT of Jammu & Kashmir
Forest Ecology & Environment Deptt.

Dated: 30.03.2026

Through Counsel

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

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

O A NO. 163 of 2024(IA No 305/2025 & IA No 436/2025)

Rasikh Rasool Bhat and Ors

.....**Applicant**

v/s

Union Territory of J&K
through Chief Secretary and Ors

.....**Respondents**

IN THE MATTER OF: In terms of the Hon'ble National Green Tribunal Order dated 13.01.2026, the reply on behalf of respondent Commissioner/Secretary to the Government, Forest, Ecology & Environment Department UT of J&K to the objections of the applicant filed dated: 08.01.2026 in the above titled Original Application.

MAY IT PLEASE YOUR LAORDSHIPS:-

The answering respondent most respectfully submits as under:

1. That it is submitted that the Forest (Conservation) Act, is a unique regulatory legislation reflecting the collective national resolve to protect biodiversity and natural heritage, while permitting only unavoidable diversion of forest land for developmental purposes. The Act embodies the commitment of State to balancing the forest conservation with sustainable development, contributing to environmental protection, public health and economic growth. That the Act is regulatory rather than prohibitory and, since its enactment, has enabled essential developmental activities such as power and irrigation projects, roads, railways, schools, hospitals, rural electrification, telecommunications, drinking water facilities while effectively curbing indiscriminate diversion of forest land.
2. That the instant case pertains to Handwara-Bangus road and in terms of Government Order dated 24.09.2019, the User Agency was required to deposit compensatory levies amounting to **Rs 3.81 crore** for forest clearance, which has been remitted into the designated account of the Forest Department.
3. That it is submitted that the Government of Jammu and Kashmir is actively pursuing recovery of outstanding compensatory levies from all concerned User Agencies. The Government has also taken a categorical and prospective policy decision that no future cases pertaining to diversion of forest land shall be processed in respect of any User Agency unless all outstanding compensatory levies are fully cleared. That in this regard, two meetings have been held under the Chairpersonship of the Chief Secretary on **18 July 2025** and **15.12.2025**,

wherein specific directions have been issued directing reconciliation and recovery of outstanding dues.

4. That it is further submitted that that the contents of Para 1 of the objections are denied as being incorrect and misleading. The Applicant has misconstrued facts and has not considered the material already placed on record by the Respondent. The averments made are therefore liable to be rejected. It is further submitted that the purported road has been executed after obtaining all statutory permissions and has been executed as per norms and rules in vogue. It is respectfully submitted that there has been no violation of any rules and statute on part of respondents in execution of instant project
5. That the contents of Para 2 are denied. It is submitted that all works have been executed strictly in accordance with applicable laws, rules, and permissions granted by the competent authorities. It is further submitted that all the cases which were earlier held up solely on account of non-payment of compensatory levies were cleared and sanction order were issued by the Government of Jammu and Kashmir. It is further submitted that the Government of J&K is actively pursuing recovery of outstanding compensatory levies from all concern user agencies. The Government has also taken categorical and prospective policy decision that no future cases pertaining to diversion of forest land shall be processed in respect of any user agency unless all outstanding compensatory levies are fully cleared.
6. That in reply to Para 3, it is submitted that the allegations levelled are baseless and without any supporting evidence. The Applicant has made generalized statements without appreciating the technical and administrative processes involved in execution of the said project.
7. That in reply to Para 4, **it is most humbly submitted that the road in question has Security & Strategic Importance since Kupwara district lies close to sensitive border areas.** Improved road connectivity enhances rapid deployment and mobility of security Forces. In phase 2nd it was upgraded to All-weather road which enables more effective patrolling and monitoring of vulnerable stretches. A Preliminary Project Report was submitted in the initial, stages wherein the length recorded was 29 kms. The initial survey was conducted through Google earth pro. However, after proper survey of the road the detailed project report of the road was framed which considered all the technical corrections viz a viz the gradient of the road in accordance to the prevailing engineering norms the length

increased to 39 kms correcting the gradient from 1:6 to 1:14 and 1:10 at some spots.

The calculated length has accordingly been incorporated in the demarcation of the forest land of 14 hac. Thus, the allegation raised by the applicant is misconceived and denied. It has already been appraised to the Hon'ble Tribunal the road was sanctioned as ODR (Other District Road) because of fair weather road and due to the upgradation of the same road it automatically got upgraded to MDR in phase II since the road has undergone significant upgrades such as improved surfacing and enhanced connectivity of road. A copy of Sanction of CRF/Administrative Approval dated 27-03.2017 & 03.2018 is annexed herewith collectively and marked as **Annexure-R-I**

8. That it is respectfully submitted that the approved length of the road passing through forest land, as sanctioned vide Government Order No. 281-FST of 2019 dated 24-09-2019, is **28 kilometres**. Rest of the road length is through propriety (private) land. The length of the road traversing forest land remains **28 kilometres only**, which stands duly cleared under the provisions of the erstwhile Jammu & Kashmir **Forest (Conservation) Act, 1997**. The allegation regarding construction of a 40-kilometre road within forest land is factually incorrect. Consequently, the project has been executed strictly in accordance with the statutory approvals and is fully lawful and within the four corners of law. It is submitted that the answering respondent is a law abiding citizen and is duty bound to protect the environment from any violations. The project has been approved and executed in conformity with the environmental laws and rules in vogue

9. That in reply to para 5&6 it is submitted that phase I & phase II does not relate to different road stretches rather are different stages of construction. Under phase I the scope of the work included earth cutting, cross drainage works, and protection works. Under phase II, the scope of the work included laying of Granular Sub-Base (GSB), Grade-II, Wet Mix Macadam, Bituminous Macadam with seal coat.

Further it is reiterated that initially a PPR was submitted wherein a survey was conducted through Google earth pro and the length of the road was proposed to be 29 Kms. However, after proper survey of the road the detailed project report of the road was framed which considered all the technical corrections viz a viz the gradient of the road in accordance to the prevailing engineering norms the length increased to 39 kms correcting the gradient from 1:6 to 1:14 and 1:10 at some spots. It is because of these factors that the DPR was submitted with the

requirement of 39 Kms and the same has been approved for the use of land amounting 14 Ha. Covering a length of 28,000 Mts (28Kms) forest land and the remaining road is running through private land. A copy of PPR, DPR for construction of Handwara-Bungus road & Sanction Order is collectively annexed herewith and marked as **Annexure-R-II**

10. That in reply to Para 7 to 10 it is submitted that the proposal was processed under the provisions of the **J&K Forest Conservation Act, 1997** and was cleared by the **Forest Advisory Committee (FAC)** in its **102nd meeting held on 06.09.2017**. That the proposal, after having been duly examined and cleared by the Forest Advisory Committee (FAC), was placed before the State Cabinet and was approved vide **Cabinet Decision No. 178/11/2017 dated 03.10.2017**.
11. That, it is submitted that, at the relevant point of time, i.e., prior to the Reorganization of the State in 2019, the erstwhile State of Jammu and Kashmir was governed by its own statutory regime. The said proposal was, processed, examined and approved by the competent authorities strictly in accordance with the provisions of the legal framework then in force. That the forest clearance for diversion of forest land for the said road project was issued vide **Government Order No. 281-FST of 2019 dated 24.09.2019**. That since, the proprietary land falls at the forefront of the project alignment, the construction work on proprietary land commenced on **27.10.2017**.

That felling of trees on forest land was undertaken only **after 31.12.2019**, i.e., after issuance of statutory approvals and handing over of trees to the **J&K Forest Development Corporation**. Allotment of timber extraction work to **JK Forest Development Corporation** has been placed on record which clearly substantiates that the felling activity occurred after due authorization. It is further, submitted that the work on the said project was started on the propriety land and the work has been executed over the stretch involving forest area only after proper approval and requisite clearance. Further it is submitted that the mega project is subjected to technical changes as per site requirement, the technical sanction could be revised as per the requirement on site.

Further it is submitted that the proposal was processed under the provisions of the J&K Forest Conservation Act, 1997 and was cleared by the forest advisory committee in his 102nd meeting held on 06.09.2017.

12. That it is most humbly submitted that the proposal after having been duly examined and cleared by the forest advisory

committee was placed before the state cabinet and was approved vide cabinet decision **No. 178/11/2017 dated 3/10/2017**. It is further submitted that at the relevant point of time that is prior to reorganisation of the state in 2019, erstwhile state of J&K was governed by its own statutory regime, namely the J&K Forest Act 1987(1930 AD) along with allied rules and regulations. The said proposal was, therefore processed, examined and approved by the competent authority strictly in accordance with the provisions of the aforesaid Act and the legal framework then in force.

13. That in reply to Para 11 to 19 it is submitted, That the certificate of **"Minimum Forest Requirement"** is a formal and statutory assurance provided by the user agency certifying that ***"only the bare minimum forest land strictly required for execution of the project has been requisitioned and that no avoidable forest area is proposed to be diverted."***

That the Bangus area is surrounded by forests on all sides, and there exists no viable direct alternative access on Handwara side except through forest land. The requirement of forest diversion for providing connectivity to the said area has been, therefore, inevitable and unavoidable.

That the Handwara-Zachadara-WadderBala road alignment also traverses forest land, and the user agency, after due technical, financial and administrative examination by the competent authorities, preferred connectivity via **Handwara** instead of **Wadder**. The selection of the said alignment has been made on the basis of objective and rational parameters, including technical feasibility, availability of funds, shortest feasible distance, terrain conditions, safety considerations and strategic significance, as assessed by the concerned expert and Engineering authorities, and not on any arbitrary, extraneous or *mala-fide* considerations.

That the proposal under the J & K Forest (Conservation) Act, 1997 underwent rigorous scrutiny at all statutory and administrative levels, commencing from the office of the Divisional Forest Officer and culminating at the highest level of decision-making. The proposal was examined exhaustively and no deficiency, lacuna, misrepresentation, or deviation from prescribed prerequisites or formalities was noticed at any stage. That upon due consideration, the proposal was placed before the Forest Advisory Committee (FAC) and was accorded approval in its 102nd meeting held on 06.09.2017. Thereafter, the proposal was placed before the State Cabinet, which approved

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the same vide Cabinet Decision No. 178/11/2017 dated 03.10.2017. Consequently, the final forest clearances for diversion of forest land for the said road project was issued vide Government Order No. 281-FST of 2019 dated 24.09.2019.

That the forest land involved in the project does not form part of any **National Park, Wildlife Sanctuary, Biosphere Reserve, or Natural Reserve**, nor does it constitute habitat of any endangered or threatened species of flora or fauna, and further does not fall within any severely eroded catchment area.

That the division of the project into **Phase-I and Phase-II** does not relate to different road stretches, but pertains to different stages of construction along the same road alignment. The Executive Engineer, R&B (PWD) Division, Handwara, vide communication No. 4194-96 dated 16.10.2025 has clarified that:

(i) **Under Phase-I**, pertains to earth cutting, cross-drainage works and protective works on the diverted forest land;

Phase-II pertains to the laying of Granular Sub-Base (GSB), Grade-II, Wet Mix Macadam, Bituminous Macadam with seal coat and installation of road furniture along the entire length of the Handwara-Bangus Road. That the applicant has raised grievance solely with respect to the location and alignment of the road, questioning why the road was not constructed via Wadder. It is submitted that such grievance does not stem from any concern for forest conservation, but is confined to the preferred routing of the road through his village. **It reveals that the grievance is motivated and pertains to the alignment choice of the project not for conservation of forests and ecology.**

It is further submitted that the contents of Para 11 are vague, speculative, and denied. The Applicant has failed to place any material evidence in support of the allegation/averments made. Further it is submitted that the same has been replied and is clearly reflected at Page No 478 of the reply under clause 5(c) of order No. 281-FST of 2019 dated:24.09.2019. A copy of same is annexed here with and marked as **Annexure R-III**.


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That it is submitted that after proper survey and considering all the alternative roads the best possible one is chosen keeping in view all the engineering facts and economic constraints only then alignment is finalized. Such activities are carried out in the preliminary survey

before framing of Detailed Project Report. In this regard, it is clarified that a Joint Inspection Committee, constituted by the competent authority, visited the project site and examined the alignment and land requirements in detail. The Committee, after due inspection, submitted its report wherein it was observed that approximately 14 hectares of land was required for execution of the road project,

14. That it is further submitted that concrete efforts were made at the relevant stage to minimise the use of forest land to the extent feasible. However, it is reiterated that the project pertains to road development in hilly terrain, where complete avoidance of forest land is not always technically possible

Additionally, the maintenance of permissible road gradient, in conformity with standard engineering norms and safety requirements, was a critical design consideration. Any further curtailment of land use would have resulted in steeper gradients, which are undesirable from the standpoint of road safety and long-term serviceability.

Accordingly, the land requirement, as assessed by the Joint Inspection Committee, was technical, unavoidable, and justified, and does not constitute any violation or arbitrary use of forest land. The objections raised in this regard are therefore untenable and devoid of merit.

It is humbly submitted that the alignment of the road has been finalised after taking into consideration all the technical, ecological & environmental factors. All the efforts were put in place to minimise the impact of project on environment which include forest as well.

The demand of the road was put forth by the locals of the area and the Project has been taken up in the larger interest of **government particularly the security forces and the public**. The said road is currently the life line to a major population of the area approximately (30 thousands) who have been benefited from the construction of the said road. The said road has been constructed by balancing the public needs and the environmental safeguards.

It is further submitted that no wild life clearance was required and the same has been affirmed by the Chief wildlife warden, J&K. A copy of letter of Principal Chief Conservator of Forest (Wildlife) Chief Wild life Warden dated 16.10.25 is annexed here with and marked as **Annexure R-IV**

It is to submit that the phase 2 of the road does not relate to different stages of construction along the same road alignment. As already stated herein above, the Phase I & II does not relate


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to different road stretches rather are different stages of construction and as such no fresh clearance was required for Phase II separately.

15. That in reply to para 20 to 24 it is humbly submitted that as the proprietary land lay at the forefront of the approved project alignment, construction activities were commenced on such proprietary land before forest clearance and the expenditure incurred during this period pertained essentially to road formation works executed on proprietary land. Mere reference to bills does not establish that any unauthorised activity was carried out on forest land prior to grant of forest clearance.

That the felling of trees on forest land was undertaken only after 31.12.2019, strictly after grant of all requisite statutory approvals under the applicable laws and after formal handing over of the marked trees to the J&K Forest Development Corporation. The reported violation which involved the illegal felling of five trees in Compartment No. 26-A/Rajwar, in respect of which a damage bill amounting to ₹2,25,890/- was raised by the Forest Department against the concerned construction agency and the said amount stands fully recovered.

16. That in reply to para 25 to 28 it is respectfully submitted that the State Administrative Council (SAC), vide Decision No. 189/19/2019 dated 30.07.2019, exempted the requirement of prior payment of compensatory levies in respect of projects executed by the State Government, including PMGSY and other public infrastructure projects. That in pursuance of the aforesaid decision, all cases which were earlier withheld solely on account of non-payment of compensatory levies were processed and cleared, and sanction orders for diversion of forest land were accordingly issued by the Government of Jammu and Kashmir. That any delay, if at all, in remittance of compensatory levies occurred due to administrative transition following the re-organization of the erstwhile State of Jammu and Kashmir with effect from **05.08.2019**, coupled with the disruptions caused by the COVID-19 pandemic, and was neither deliberate nor attributable to any non-compliance on the part of the user agency. That in terms of Government Order dated 24.09.2019, the User Agency was required to deposit compensatory levies amounting to **₹3.81 crore**, which have since been duly remitted into the designated account of the Forest Department.


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17. That in reply to para 29 to 32, it is respectfully submitted that the Government of Jammu and Kashmir is actively pursuing recovery of outstanding compensatory levies from all concerned

User Agencies. The Government has also taken a categorical and prospective policy decision that no future cases pertaining to diversion of forest land shall be processed in respect of any User Agency unless all outstanding compensatory levies are fully cleared. That in this regard, two meetings have been held under the Chairpersonship of the Chief Secretary on **18 July 2025** and **15.12.2025**, wherein specific directions have been issued directing reconciliation and recovery of outstanding dues.

That the Forest Department is already in the process of reconciling dues with the concerned User Agencies and has recovered **₹ 138.30 crores** against the outstanding liabilities since **01.12.2019 to 15.12.2025**. Besides, **23 cases** pertaining to **Jal Shakti, Public Works and Rural Development departments** have been returned for clearance of outstanding compensatory levies before further processing.

18. That in reply to para 33 to 41, it is respectfully submitted that the alleged felling of trees without prior deposition of compensatory levies was neither on account of any individual lapse, omission nor misconduct on the part of the field officers, but was undertaken strictly in accordance with the policy decision of the State Administrative Council (SAC), Government of Jammu and Kashmir, taken in the year 2019.

That the State Administrative Council, vide Council Decision No. 189/19/2019 dated 30.07.2019 approved a policy permitting the use of forest land for non-forestry purposes even where whole or partial compensatory levies were pending for payment by the indenting agencies. The said policy decision was applicable to the instant project, as the proposal had already been cleared by the Forest Advisory Committee (FAC) in its **102nd meeting held on 06.09.2017** and was approved by the State Cabinet vide **Cabinet Decision No. 178/11/2017 dated 03.10.2017**. However, the issuance of the final order remained pending owing to the embargo imposed under the earlier Cabinet Decision No. **31/03/2014**, which mandated prior payment of compensatory levies. That pursuant to the modification of the aforesaid Cabinet Decision No. 31/03/2014 through Council Decision No. **189/19/2019 dated 30.07.2019**, the embargo was lifted and accordingly, forest clearance for diversion of forest land for the said road project was issued vide **Government Order No. 281-FST of 2019 dated 24.09.2019**. Copy of the (SAC) decision dated 30.07.2019 is enclosed herewith and marked as **Annexure R-V**


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19. That in reply to para 42 to 48 it is submitted that with regard to damage of bridge due to illegal extraction of River Bed Material at Dobighat in Nallah Talri, it is submitted that

i. That the site for the removal of accumulated sediment/shoal from Nallah Talri was identified and formally recommended by the Executing Engineer, Irrigation & Flood Control (I&FC) Division, Handwara.

ii. That the specified location at Dobighat was selected due to the significant accumulation of shoal deposition. This selection was conducted in strict adherence to the Environmental Management (EM) Guidelines for sand mining, with paramount consideration given to the protection of critical infrastructures, including bridges and roads.

iii. That the necessary permissions for the extraction of this shoal material were granted by DMO, Kupwara in full compliance with the regulatory framework established under S.O. 599 dated 15th November, 2022. The S.O. 599 amended the relevant mining regulations, specifically Rule 94 of the Jammu and Kashmir Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 notified vide SRO-105 dated 31.03.2016. The amendment introduced a provision, inserted after clause (iii) of sub-rule (2), which stipulates as under:

"River bed material shall not be extracted upto the distance of five times the span of a bridge or public civil structure (including water intake points) on the upstream side and ten times the span on the downstream side, subject to a maximum of 250 meters upstream and 500 meters downstream."

The site selection and the subsequent authorization were meticulously aligned with these prescribed safety distances. In view of the foregoing, it is submitted that the activity was conducted in a lawful and compliant manner, with due diligence exercised to safeguard both the environment and public assets. It is further submitted that the minor damages caused to the bridge is caused due to recent flash floods in the month of August and September.

The site from which material has been extracted against a valid and proper permission issued by concerned DMO has been identified by the concerned department. The terms and conditions of each permit has been complied with onsite and nothing has been done which would have caused any damage to the existing bridge. The damage has occurred due to natural

calamity since the bridge is located at a hilly area which is prone to flash flood.

It is pertinent to mention that the applicant is hellbent to mislead and waste the precious time of this Hon'ble Tribunal as the applicant has annexed photos with wrong coordinates which does not correspond to the coordinate from where the material has been extracted. The applicant has relied on self-created evidence which is contrary to facts and truth and as such deserves to be penalised with costs as the applicant has not come to this Hon'ble Tribunal with clean hands. Copies of all the valid permits and geo-tagged photos of actual site are annexed herewith and marked as **Annexure R-VI**

It is further submitted that bridge of which the applicant has attached geotagged photographs are not taken on the Handwara Bangus Road as the same were taken on an entirely different road known as Zachaldara Behnipora road. Copies of geo-tagged photos are annexed herewith and marked as **Annexure-VII.**

The distance of Dhobighat site from the culvert is approximately 700 meters away and the same has to be cleared since the deposits had accumulated and demanded removal to safeguard the adjoining agricultural fields. Copies of geo-tagged photos are annexed herewith and marked as **Annexure-VIII**

It is further submitted that the minor damages caused to the bridge is caused due to recent flash floods in the month of August and September.

20. That it is further submitted that the Bridge which the applicant is alleging that it has been damaged due to the respondents is factually incorrect. The fact of the matter is that these bridges are located on a hilly area and is prone to flash floods, the damage to the bridge is purely due to natural calamities and the same has been reported by the concerned field staff. Steps are being taken to restore/repair the damage caused to the bridge. The bridge will be restored and the necessary repairs shall be done soon after the winter since the current season is not feasible for the construction works as temperature drops to below freezing point. Copy of communication of the concerned Department dated: 27.08.2025 reflecting damage and estimated cost of repair of the bridge is annexed herewith and marked as **Annexure R-IX**


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It is further, clarified that all mining and material extraction activities undertaken in connection with the execution of the subject road project were carried out strictly in accordance with

the orders, permissions, and directions issued by the District Mining Officer (DMO), Kupwara, and under the supervision and concurrence of the Executive Engineer, I&FC Division, Handwara, wherever applicable. It is further submitted that:

Extraction of construction material was limited to permitted locations and quantities only and Conditions imposed by the competent authorities were strictly adhered to and No extraction activity was undertaken beyond the scope of permissions granted. The allegations regarding illegal, excessive, or unauthorized mining are therefore factually incorrect and unsupported by record. It is therefore submitted that the contents of Paras 42 to 48 of the objections are misconceived, denied, and devoid of factual position and thus liable to be rejected.

21. That in reply to para 49 to 50, it is submitted that the division of the project into **Phase-I and Phase-II** does not relate to different road stretches, but pertains to different stages of construction along the same road alignment. In this regard it is respectfully submitted that the approved length of the road passing through forest land, *as sanctioned vide Government Order No. 281-FST of 2019 dated 24-09-2019*, is **28 kilometres**.
22. That in reply to para 51 to 58, it is submitted That the forest land involved in the project does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, or Natural Reserve, nor does it constitute habitat of any endangered or threatened species of flora or fauna, and further does not fall within any severely eroded catchment area. That, the project did not attract any separate clearance requirement from the Wildlife Department, and the execution of the project has remained within the four corners of law. Further, in terms of Government of India Notification No. F.No.6- 60/2020WL dated 16.07.2020 provides for the clearance of projects from the Standing Committee of the National Board of Wild Life will be required outside Protected Area in the following cases:-

1. *Proposals involving project/ activity located within the **notified ESZ** (not being draft notification) and listed in the Schedule of the EIA Notification 2006 and requiring environment clearance, prior clearance from Standing Committee of the National Board for Wild Life will be required.*
2. *Proposals involving activity/ project **located within 10 km of National Park/ Wildlife Sanctuary wherein ESZ has not been finally notified** and listed in the Schedule of the EIA Notification 2006 and requiring environment clearance, prior clearance from Standing*


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Committee of the National Board for Wild Life will be required.

3. *Proposals involving activity/project, falling outside the protected areas linking one protected area or tiger reserve with another protected area or tiger reserve, prior clearance from the Standing Committee of the National Board for Wild.*

Pertinent to mention here that the instant project does not fall within the ambit of any of the above-mentioned categories as such clearance from the Wildlife Authority was not separately required when the permission has been accorded by the Forest Department under prevalent statutory provisions. Copy of the communication alongwith enclosures was received from PCCF & HoFF, UT of J&K vide No. PCCF/Lit/420/863-66 dated: 05.02.2026 in the instant matter is enclosed herewith and marked as **Annexure No. R-X**

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

It is therefore, humbly prayed that the reply to the objections/additional affidavit of the applicant on behalf of respondent Commissioner/Secretary to the Government, Forest and Ecology and Environment, UT of J&K may be placed on record for the kind consideration of the Hon'ble National Green Tribunal Principal Bench, New Delhi for the disposal of the said Original Application.



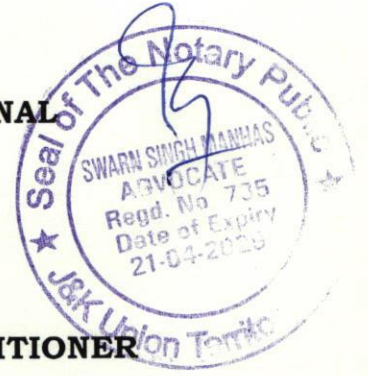
Commissioner/Secretary to the Government,
Forest, Ecology and Environment Department,
UT of Jammu & Kashmir

Through counsel

Dated: 30.03.2026

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
O.A. No. 163/2024**



IN THE MATTER OF:

Rasikh Rasool Bhat & Ors

....APPLICANT/PETITIONER

VS

UT of Jammu & Kashmir & Ors.

.....RESPONDENTS

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

I, Sheetal Nanda age about 50 years D/o Shri Balbir Nanda presently posted as Commissioner/ 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 Commissioner /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 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.

Sheetal

DEPONENT
Commissioner/Secretary to Government
Forest Ecology & Environment Deptt.

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 30th th Day of March, 2026.

30/3/2026
solemnly Affirmed/Sworn before me
30/3/2026
NOTARY JAMMU

Sheetal

DEPONENT
Commissioner/Secretary to Government
Forest Ecology & Environment Deptt.



सत्यमेव जयते

657

INDIA NON JUDICIAL

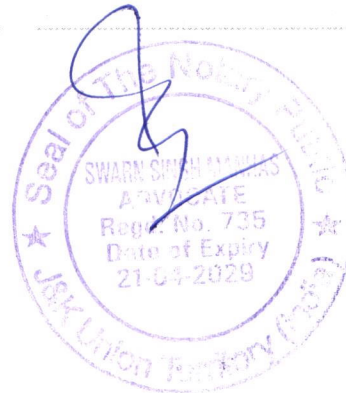
Government of Jammu and Kashmir

e-Stamp

Certificate No. : IN-JK16031839440016Y
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Unique Doc. Reference : SUBIN-JKJK1265150415203587665147Y
Purchased by : Sheetal Nanda
Description of Document : Article 4 Affidavit
Property Description : Not Applicable
Consideration Price (Rs.) : 0
(Zero)
First Party : Sheetal Nanda
Second Party : Not Applicable
Stamp Duty Paid By : Sheetal Nanda
Stamp Duty Amount(Rs.) : 10
(Ten only)



Please write or type below this line



Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at 'www.shcilestamp.com' or using e-Stamp Mobile App of Stock Holding. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

Government of India
Ministry of Road Transport and Highways
(P - I Zone)

Parivahan Bhavan,
1, Sansad Marg,
New Delhi - 110 001.

F. No. RW/NH-12037/34/2003/J&K/NH-1(CRF)

Dated: 27.03.2017

To
The Secretary,
Government of Jammu & Kashmir
Public Works Department (PWD),
Srinagar, Jammu & Kashmir

Subject: Sanction of Central Road Fund (CRF) Projects (72 Nos.) in the State of Jammu & Kashmir for the year 2016-17-Administrative Approval-reg.

(Job Nos. from CRF-J&K-2016-17-151 upto CRF-J&K-2016-17-222)

Sir,

I am directed to refer to State PWD Memo No. PW(R&B)/Plan/720/2016 dated 01.12.2016, dt. 17.01.2017, dated 02.02.2017 and dated 07.03.2017 forwarding therein the priority list of works under CRF for Jammu & Kashmir for sanction under CRF during current financial year and to convey the Administrative Approval of the President for an amount of Rs. 1019.23 crore (Rupees one thousand nineteen crore and twenty three lakh only) for 72 works as per statement enclosed as Annexure with this sanction letter along with their job Nos. subject to satisfying the criteria required as per CRF Rules 2014.

1.1 This sanction is subject to the submission of certificate which is to be submitted by the State Govt mentioning that their demand under CRF Release will be subject to limited accruals as per CRF Rules and all the works will start in the year 2017-18.

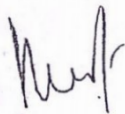
2. The above sanction is based on the applicable schedule rates to meet the construction of work debitable to the allocation of the Government of Jammu & Kashmir under the Central Road Fund (State Roads) Rules, 2014 published vide Gazette Notification No. GSR 531 (E) dated 24th July, 2014 and circulated vide this Ministry's letter No. NH-11011/2/2000-P&M (Pt.) dated 26th August, 2014.

3. State Government shall ensure that individual project is technically approved, financially sanctioned within a period of four months from the date of administrative approval of the work failing which the work shall be deemed to have been de-sanctioned unless revised administrative approval of the Government of India is obtained.

4. No excess cost beyond 10% of the amount administratively approved for the proposal shall be permissible and the excess, if any, shall be arranged by the State from their own resources. No revised estimate will be considered in this scheme.

5. The State Government shall adopt e-tendering system on mandatory basis for execution of the above work failing which the expenditure incurred on the work will not be reimbursed by the Ministry.

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6. The display boards on development activities of the work shall be made as per guidelines issued vide Ministry's letter No. RW/NH-33044/10/2002-S&R dated 26th May, 2003.

7. This approval is accorded subject to the following conditions:-

7.1 The total expenditure on all works in the State approved for being financed out of Central Road Fund (Allocation) does not at any time exceed the amount actually available therein.

7.2 The stipulations made in the Central Road Fund (State Roads) Rules, 2014 published vide Notification No. GSR 531(E) dated 24th July, 2014 shall be strictly followed.

7.3 If the project road merges with any National Highways, the details at such junction/location shall be got approved from this Ministry/NHAI before entrusting the work.

7.4 The estimate for the above work includes provisions for contingencies @ 3%, Cost of devising and operation of a Quality Assurance System @ 1%, Quality Control @ 1% and work charged establishment @ 0.5 % as laid down in Sub-Rule 13 of Rule 7 of Central Road Fund (State Roads) Rules, 2014.

8. The job-number assigned to this work may be quoted in all future correspondences relating to the work.

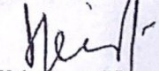
9. Government of Jammu & Kashmir shall furnish the completion certificate duly vetted by Audit as soon as the works are completed and positively within a period of three months from the date of completion of the works as per Central Road Fund (State Roads) Rules, 2014 published vide Notification No. GSR 531 (E) dated 24th July, 2014.

10. Government of Kashmir shall furnish the progress report, expenditure report and utilization certificate as specified in clause (b) of sub-rule (1) of Rule 8 of Central Road Fund (State Roads) Rules, 2014.

11. The standard design and specification of the works to be proposed shall follow the relevant guidelines, codes, Indian Roads Congress specifications as directed by the Central Government and the period of completion of projects shall be as per Sub-Rule 10 of Rule 7 of the Central Road Fund (State Roads) Rules, 2014.

12. The expenditure is debitable under the Head 3601 (Plan)-Grants-in-Aid to State Government (Major Head); 02-Grants for State Plan Schemes (Sub Major Head); 02.105-Grants from Central Road Fund (Minor Head) 01-Grants for State Roads; 01.00.35-Grants for Creation of Capital Assets under Demand No.74-Ministry of Road Transport & Highways for the year 2016-2017.

Yours faithfully,


(Shivkant Kumar)

Under Secretary to the Government of India

Encl.: As above (Annexure)

-- 3 --

Copy to:

1. The Chief Engineer PWD Jammu, Jammu & Kashmir.
2. The Accountant General, Govt. of Jammu & Kashmir.
3. The Chief Controller of Accounts, IDA Building Jamnagar House, New Delhi.
4. Principal Director of Audit, Economic & Services Ministries, AGCR Building, IP Estate, New Delhi.
5. The Regional Pay & Accounts officer, Ministry of Road Transport & Highways, 6th Floor, Kendriya Sadan, Sector 9A, Chandigarh
6. Section Officer, W&A Section.

Neel
(Shivkant Kumar)

7. R.O., ~~PORT~~ *PORT*, Chandigarh Under Secretary to the Government of India

Encl.: As above (Annexure)

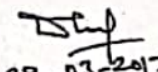
Copy also to:

1. PS / OSD to Hon'ble Minister (RT&H). ✓
2. CE (Planning) / CE (P-2) / SE (P-2) / AEE (P - 2) / P & M Section / Guard Folder.

Vijayalakshmi
(Vijayalakshmi)
Section Officer
Tel : 011-2371 6598

Encl.: As above (Annexure)

66	Tral to Satoora and Khankah to Pastoona via Batgund including bridge (phase-I)	Pulwama	MDR	Widening and Bridge	33.50k m	CRF-J&K-2016-17-216 dated 24/03/2017	1500
67	Construction of Handwara - Bangus road (phase-I)	Kupwara	ODR	Construction	29.00 km	CRF-J&K-2016-17-217 dated 24/03/2017	2000
68	Below Drabgam Shadimarg road	Pulwama	MDR	Construction	7.50 km	CRF-J&K-2016-17-218 dated 24/03/2017	927.59
69	Drabgam-C.B Nathachgoze road	Pulwama	MDR	Construction	9.00 km	CRF-J&K-2016-17-219 dated 24/03/2017	1170
70	1 x 45 m span bridge at Kamutul and 1 x 48 span bridge at Thulus Pursa over river Suru including approach road	Kargil	MDR	Bridge		CRF-J&K-2016-17-220 dated 24/03/2017	1394
71	Sumbal-Bandipora Road	Bandipora	MDR	Upgradation	13.00 km	CRF-J&K-2016-17-221 dated 24/03/2017	1849.3
72	Watlab- Chetkak Road	Bandipora	MDR	Upgradation	14.00 km	CRF-J&K-2016-17-222 dated 24/03/2017	1400
				Total			Rs. 101923 lakhs


 29-03-2017
 (Dheeraj Goyal)
 AEE (P-2)

662
F. No. RW/NH-12037/34/2003/J&K/NH-1/Zone-II(CRF)
Government of India
Ministry of Road Transport & Highways
(Zone-II)
Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated: 03.2018

To,

The Secretary,
Government of Jammu & Kashmir
Public Works Department (PWD),
Srinagar, Jammu & Kashmir

Subject: Sanction of Central Road Fund (CRF) projects (67 Nos.) in the State of Jammu & Kashmir for the year 2017-18-Administrative Approval.

Sir,

I am directed to refer to State PWD letter dated 06.02.2018 forwarding therein the priority list of works under CRF for Jammu & Kashmir during current financial year and to convey the Administrative Approval of the President for an amount of Rs.1047.07 crore (Rupees one thousand forty seven crore & seven lakh only) for the following 67 works along-with their job Nos. subject to satisfying the criteria required as per CRF Rules regarding length, category of the road, encumbrance free availability of land etc.-

Sr No	Name of the road	District	Category of road	Length (km)	Cost (Rs. in Crore)	Job Nos.
1	2 lane bridge over river Chenab	Ramban	MDR	Bridge	41	CRF-J&K-2017-18-223
2	Construction of 207 mtr span Prestressed concrete Motorable Bridge double lane with foot path over River Chebnaab at Ramban	Ramban	MDR	Bridge	41.78	CRF-J&K-2017-18-224
3	Ramnagar to Basantgarh (Phase-II)	Udhampur	ODR	11	18	CRF-J&K-2017-18-225
4	Jhajjar Kotli to badsoo connecting Dansal via Shaddali	Jammu	ODR	10	15	CRF-J&K-2017-18-226
5	Kotli Matwar road and link Mawa to Talli Ghai	Jammu	ODR	10.7	11.53	CRF-J&K-2017-18-227
6	Improvement / upgradation of road from RS Pura to Salehar via Chack-i-Islam	Jammu	MDR	13.5	14	CRF-J&K-2017-18-228
7	Construction of 200m span double lane prestressed cement bridge over Manawar on Baldeh to	Jammu	ODR	Bridge	15	CRF-J&K-2017-18-229

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	Thakkar road in block Khour					
8	Widening / Improvement of road from Marh to Baba Talab via Jaffra Chak and to Haiqa via Hira Chak Makhyala upto Gadla and allied links up to Kana Chak in Block Marh	Jammu	MDR	18	19.95	CRF-J&K-2017-18-230
9	Construction of 250m double lane bridge over Haliah Aik connecting Sai Fagla Mule Chak in Suchetgarh Tehsil Chakrol	Jammu	ODR	Bridge	25.75	CRF-J&K-2017-18-231
10	Construction / upgradation of Samba Sumb Goran road km 11th to 20th double lane	Samba	MDR	10	12	CRF-J&K-2017-18-232
11	Upgradation of road from Baba Chamlyal to NH via Baba Sidh Gorla Swankha (intermediate lane)	Samba	MDR	10	8	CRF-J&K-2017-18-233
12	Improvement / upgradation of road Vijaypur - Ranigarh to SM Pura (double lane)	Samba	MDR	15	18	CRF-J&K-2017-18-234
13	Construction / upgradation of road from Shah Balode to Utterbehani via Sarna Chilla Danga and lovely km 11th to 20th single lane	Samba	MDR	10	9	CRF-J&K-2017-18-235
14	Construction of link road from Tanta to Draman via Kunthal	Doda	ODR	12	8	CRF-J&K-2017-18-236
15	Construction of link road from Gal Dessa to Bhatta via Mangalathatha and Dewalkumd	Doda	ODR	10	7	CRF-J&K-2017-18-237
16	Construction of road from Humbal to Dedni	Doda	ODR	10	14.27	CRF-J&K-2017-18-238
17	Construction of 125m single lane steel girder through type motorable bridge over river Chenab at Sui Gwari connecting Jodhpur	Doda	ODR	Bridge	17.96	CRF-J&K-2017-18-239
18	Construction of link road from Padyarna to Pullar from km 3rd to km 12th Hagseni (new constn) Phase I upto shingle status.	Kishtwar	ODR	10	14.75	CRF-J&K-2017-18-240

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	Upgradation of Lyderbegh to Chander seer road, Doch to Shalabugh road and Taklya tapper to Check Tapper road Phase-I	Baramulla	MDR	20	19.85	CRF-J&K- 2017-18- 268
47	Upgradation/widening of Rohama Brandub Rond	Baramulla	MDR	12	11.85	CRF-J&K- 2017-18- 269
48	Upgradation of Razwat Wagub Amargrah Krankshivan and Seer road incl inner links	Baramulla	MDR	16	13.93	CRF-J&K- 2017-18- 270
49	Widening/upgradation of Sopore Harwan road incl inner links of Brath Tujjar Nowpora and Latishart	Baramulla	ODR	11	8.78	CRF-J&K- 2017-18- 271
50	Widening/upgradation of Zainpora Shadra road Phase II (Parampla to Shadra)	Baramulla	ODR	19.8	25.86	CRF-J&K- 2017-18- 272
51	Upgradation of road from Chechilora Goigam pinjoorab to chandiloora Mulgam	Baramulla	MDR	23	17.96	CRF-J&K- 2017-18- 273
52	Upgradation from Dobiwan to Zandpal via Hardaboora, Checkfrestershi, Kharpora Naidcheck Phase Ist	Baramulla	MDR	11.5	10.49	CRF-J&K- 2017-18- 274
53	Widening / upgradation of Munand Alamgung Daderkote Tsenskar Kulgam road	Kulgam	MDR	18	20.93	CRF-J&K- 2017-18- 275
54	Construction of Handwara Bangus road stage 2 nd	Kupwara	MDR	39	28.59	CRF-J&K- 2017-18- 276
55	Construction / upgradation of Jami Masjid Kandi Tandar road via Village Jada 14 km	Kupwara	MDR	14	11.14	CRF-J&K- 2017-18- 277
56	Upgradation / construction Batergam via Kannri Trehgam Doolipora Huyen Hundi Kawari Heri Zorhama Abura Reshwarl In Kupwara	Kupwara	ODR	17	14.69	CRF-J&K- 2017-18- 278
57	Widening / upgradation of Thokerpora Pazalpora Ganapora road including allied links	Kupwara	ODR	10	12.38	CRF-J&K- 2017-18- 279
58	Construction / upgradation of Nagsari A&B Nari Kotl and	Kupwara	ODR	11	8.49	CRF-J&K- 2017-18-

59	Ladla road at Kalarooch Loalab Kupwara Phase I Widening / upgradation of Pulwama Rahmoo road including Pulwama Rajpora Shadimarg road	Pulwama	MDR	20	16	280 CRF-J&K- 2017-18- 281
60	Construction of road from Dobzan to Chanch Marg road at Shopian Phase I	Shopian	MDR	15	14.71	CRF-J&K- 2017-18- 282
61	Improvement / upgradation of Shalla Naseem road from Zakoora crossing to Shalimar chowm	Srinagar	ODR	11.2	8.71	CRF-J&K- 2017-18- 283
62	Construction of road from Pantha chowk to Khanmoh Zawoora to Sempora	Srinagar	ODR	11.06	13.98	CRF-J&K- 2017-18- 284
Kashmir Region					440.89	
63	Widening/ Upgradation of road from circular road to Degree College via Poyen including all limbs. Iqbal bridge to Baghi to Baghi Khumani	Kargil	ODR	16.89	12.28	CRF-J&K- 2017-18- 285
64	Construction of link road Karsha to Rkongchet Zaskar	Kargil	ODR	11.5	10	CRF-J&K- 2017-18- 286
65	Widening of Road from NH- 1D to Archoo Cheskore kargil	Kargil	ODR	19.7	20.36	CRF-J&K- 2017-18- 287
66	Widening of road broglungma Wakha, Sherling Wakha, Sarak Khangral, Kukstay and Link Road Tumail to Grongyur grong & Lungma Broq	Kargil	ODR	11.5	35.62	CRF-J&K- 2017-18- 288
Kargil Region					78.26	
67	Upgradation of road Mahi to Korzok	Leh	MDR	18	18	CRF-J&K- 2017-18- 289
Leh Region					18.0	
Total					747.4	1047.07

2. These proposals may be considered for the following conditions:-

2.1 State Govt. will submit a certificate that all these works may be started within the

four months after the sanction is per Govt. Rules.

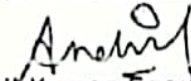
10. Government of Jammu & Kashmir shall furnish the completion certificate duly vetted by Audit as soon as the works are completed and positively within a period of three months from the date of completion of the works as per Central Road Fund (State Roads) Rules, 2014 published vide Notification No. GSR 531 (E) dated 24th July, 2014.

11. Government of Jammu & Kashmir shall furnish the progress report, expenditure report and utilization certificate as specified in clause (b) of sub-rule (1) of Rule 8 of Central Road Fund (State Roads) Rules, 2014.

12. The standard design and specification of the works to be proposed shall follow the relevant guidelines, codes, Indian Roads Congress specifications as directed by the Central Government and the period of completion of projects shall be as per Sub-Rule 10 of Rule 7 of the Central Road Fund (State Roads) Rules, 2014.

13. The expenditure is debitable under the Head 3601-Roads & Bridges-Grants-in-aid to State Government (Major Head)-08-Other Transfer/Grants to States (Sub-Major Head)-08.108-Grants from Central Road Fund (Minor Head)-01-Grants for State Roads-01.00.35-Grants for Creation of Capital Assets under Demand No.81-Ministry of Road Transport & Highways for the year 2017-2018.

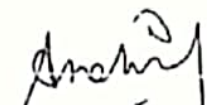
Yours faithfully,


(Sushil Kumar Geeva)

Under Secretary to the Government of India

Copy to:

1. The Chief Engineer (NH) PWD, Jammu & Kashmir.
2. The Accountant General, Govt. of Jammu & Kashmir.
3. The Chief Controller of Accounts, IDA Building Jamnagar House, New Delhi.
4. Principal Director of Audit, Economic & Services Ministries, AGCR Building, IP Estate, New Delhi.
5. The Regional Pay & Accounts Officer, Ministry of Road Transport & Highways, 6th Floor, Kendriya Sadan, Sector 6 A, Chandigarh.
6. Section Officer, W&A Section.
7. Regional Officer, MoRTH, Chandigarh.


(Sushil Kumar Geeva)

Under Secretary to the Government of India

Copy also to:

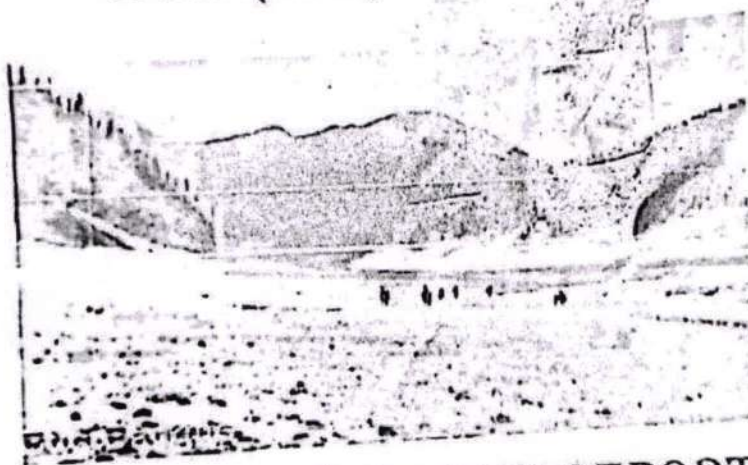
1. PS / OSD to Hon'ble Minister (RT&H).
2. CE (Planning) / CE (Z-II) / SE (Z-III) / AEE (Z-II) / P & M Section / Guard Folder.

(Ghanshyam Meena)
Section Officer
Tel:011-23716598

GOVERNMENT OF JAMMU AND KASHMIR



P.W.D (R&B) KASHMIR



PRELIMINARY PROJECT REPORT
for

Construction of Handwara - Bungus
Tourist Corridor (PHASE - 1st)

Length = 29.00 K.M 2-Lane

PROJECT COST = Rs. 20.00 Crores

Executing Agency
R&B Division Handwara

JK Hi-Tech Engineers, Radio Colony, Bhatnagar, Sgr. Ph: 0194-2313909

Government of Jammu and Kashmir
Department of Forest, Environment & Ecology
Civil Secretariat, Jammu / Srinagar.
www.jkforestadm.nic.in

Subject:- Use of 14 Ha. of forest land for construction of road from Handwara to Bangus Phase 1st by PWD (R&B) in Langate Forest Division.

- Reference: (i) Minutes of the 102nd meeting of the Forest Advisory Committee held on 06.09.2017 under the Chairmanship of Chief Secretary J&K, issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2450/4143-63 dated: 12.09.2017.
(ii) Cabinet Decision No. 178/11/2017 dated 03.10.2017.
(iii) State Administrative Council Decision No. 189/19/2019 dated 30.07.2019.

Government Order No:-281-FST of 2019
Date:- 24-09-2019

Sanction is hereby, accorded to the use of 14 Ha. of forest land for construction of road from Handwara to Bangus Phase 1st by PWD (R&B) in Langate Forest Division with the following particulars subject to the terms and conditions appearing hereinafter to the Forest Department:-

Details of the Proposal:

1.	User Agency/Applicant	PWD (R&B) Kashmir
2.	Location	Comptt. : 2,3a,3b,4,5,6,10,11,12,13,14, 15,16,24,25,26/Rajwar Range : Rajwar Block : Handwara Division : Langate Forest Division District : Kupwara.
3.	Objective	The road will convert the destination into major tourist attraction as Gulmarg and with much wider meadows and vast majority of flora and fauna. The road will benefit population of 80,000 people.
4.	Salient Features of the project:	
	I	Total Length of the road 35.50 Km.
	II	Length of the road through Forest land 28000 Mtrs.

JACALPA
27/9

III	Width of the road	5.00 Mtrs.
IV	Therefore forest land required for road	14 Ha.
V	Area proposed for the Muck disposal sites on Forest Land	Nil. The PWD Department has given a certificate that the alignment of road from Handwara to Bangus phase 1 st by way of earth work in cutting and filling as such no surplus muck disposal site is required.
VII	Total forest area involved in the proposed project	14 Ha.
VIII	Protection work	The User Agency shall provide the protection on the forest land by retaining walls and crush barriers as given in the DPR.
5.	Crop Density of the area	Very Dense
a	Whether the forest land proposed to be used for non forest purpose forms part of a natural reserve, national park, wildlife sanctuary, biosphere reserve or forms part of the habitat of any endangered or threatened species of flora and fauna or any area lying in severely eroded catchment.	No
b	Whether the use of any forest land is for agriculture purposes or for the rehabilitation of displaced persons.	No
c	Whether the Principal Chief Conservator of Forests had certified that it has, considered all other alternatives and that no other alternative in circumstances are feasible and that the required area is the minimum needed for the purposes, and,	Yes
d	Whether the department or authority requisitioning forest land for non forest uses undertakes to provide at its own cost acquisition of an equivalent area and afforestation thereof.	The User Agency requisitioning forest land for non-forest purpose has not undertaken to provide cost of acquisition at its own. It has however agreed to provide cost of afforestation on double the forest area. Further it has also undertaken to pay the NPV as per the Hon'ble Supreme court directions.

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6.	Number of Trees / Poles/ Saplings involved:					
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10- 20cm)	Saplings (0-10cm)	Total	
	Deodar	137	217	175	529	
	Kail	43	92	38	173	
	Fir	267	31	23	321	
	Total	447	340	236	1023	
7.	Net Present Value of forest land involved:					
	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	2,3a,3b,4,5, 6,10,11,12,1 3,14,15,16, 24, 25,26/Rajwa r	14	Very Dense	V	9.39	1,31,46,000/-
8.	Compensatory Afforestation for double the forest area i.e 28 @ Rs. 1 Lac per Ha.				Rs. 28,00,000/-	
9.	Compensation of trees/poles/saplings				Rs.53,67,360/-	
10.	Road side avenue plantation @ 6.00 Lac per Km.				Rs.1,68,00,000/-	

The User Agency shall pay the amount summarized below to the Forest Department:-

S.No.	Component	Amount
i	Net Present Value	Rs.1,31,46,000/-
ii.	Compensatory Afforestation	Rs. 28,00,000/-
ii.	Compensation of trees	Rs.53,67,360/-
iii.	Road Side Avenue Plantation	Rs.1,68,00,000/-
Total		Rs. 3,81,13,360/-

Terms and Conditions:-

1. The proprietary and legal status of forest land shall remain unchanged.
2. The User Agency and /or its contractors will not bring any forest area under their use, other than the actual area/activity approved by the Government for the instant proposal. Any laxity or deviation on this account by the User Agency or its contractors will attract penal provisions of the relevant Acts/legal provisions.
3. The forest land shall be utilized only for the purpose for which it has been indented.

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4. The forest land shall not be mortgaged, reassigned, leased or sub leased by user agency in any manner what so ever to any other agency.
5. The User Agency shall pay the amount summarized above to the Forest Department.
6. The User Agency shall pay the additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
7. (i) The extraction of the trees /poles/saplings shall be done by the State Forest Corporation/Divisional Forest Officer concerned on the basis of markings administratively approved by the Chief Conservator of Forests, Kashmir. The marking for tree felling will be done in consultation with the user agency and effort shall be made to save maximum number of trees/poles/saplings. The cost of extraction shall be paid by the User Agency directly to the agency executing the extraction. Efforts shall be made to reduce the number of trees coming in the alignment by 20%.
- (ii) The fundamental rule for marking of trees, enumerated during processing of the proposals, will be to save maximum number of trees without compromising with the construction and maintenance of the approved project structure and no trees/poles/saplings will be felled/cut/pruned/ lopped for purposes/project activities other than those approved/sanctioned.
8. The User Agency shall construct retaining walls/breast walls on forest land and take all necessary steps to check soil erosion which may result due to proposed construction.
9. Any damage done to the forest by the User Agency or its contractors shall be charged from the User Agency @ 10 times the standard rate of 1992.
10. The forest land so allowed for use shall return to the Forest Department free of any encumbrances when it is no longer required by the User Agency.
11. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning of the project.
12. The approval will remain valid for one year and in case the due amount against the project summarized above is not paid within the stipulated period the approval shall be deemed to have been cancelled.

By order of the Government of Jammu & Kashmir.

Sd/-
(Manoj Kumar Dwivedi)IAS
Commissioner / Secretary to Government
Forest, Environment & Ecology Department.
Dated:- 24-09-2019.

No: FST/Land/44/2017

Copy to the:-

1. Secretary to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
2. Commissioner/Secretary to Government, PWD(R&B) Department.
3. Principal Chief Conservator of Forests, J&K, Srinagar
4. Chief Conservator of Forests, Kashmir
5. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Srinagar
6. Director, Archives, Archaeology & Museums J&K, Srinagar
7. Chief Engineer, PMGSY, Kashmir.
8. Officer on Special Duty with the Advisor (K) to Hon'ble Governor.
9. Private Secretary to the Chief Secretary (Chairman FAC).
10. Pvt. Secy. to Commr./Secretary to Government, Department of Forests, Environment & Ecology
11. Pvt. Secy. to Secretary (Technical) Department of Forest, Environment & Ecology.
12. Government order file (w 2.S.Cs)

Under Secretary to Government
Forest, Environment & Ecology Department.

Government of Jammu and Kashmir

Office of the Principal Chief Conservator of Forests, J&K

NO. PCCF/FCA/2132/4171-75

Dated 10-10-2019

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests, Kashmir.
2. Conservator of Forests, North Circle, Sopore.
3. Chief Engineer, PW (R&B) Department, Kashmir.
4. Divisional Forest Officer, Langate Forest Division, Langate.
5. Executive Engineer, PWD (R&B) Division Handwara.

17.90

16/10/19

Alleged
monitor
North

(Section Officer)
FCA Section

5/10

10/10

672

Government of Jammu and Kashmir
Department of Forest, Environment & Ecology
Civil Secretariat, Jammu / Srinagar.
www.jkforestadm.nic.in

Subject:- Use of 14 Ha. of forest land for construction of road from Handwara to Bangus Phase 1st by PWD (R&B) in Langate Forest Division.

- Reference: (i) Minutes of the 102nd meeting of the Forest Advisory Committee held on 06.09.2017 under the Chairmanship of Chief Secretary J&K, issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2450/4143-63 dated: 12.09.2017.
(ii) Cabinet Decision No. 178/11/2017 dated 03.10.2017.
(iii) State Administrative Council Decision No. 189/19/2019 dated 30.07.2019.

Government Order No:-281-FST of 2019
Date:- 24-09-2019

Sanction is hereby, accorded to the use of 14 Ha. of forest land for construction of road from Handwara to Bangus Phase 1st by PWD (R&B) in Langate Forest Division with the following particulars subject to the terms and conditions appearing hereinafter to the Forest Department:-

Details of the Proposal:

1.	User Agency/Applicant	PWD (R&B) Kashmir
2.	Location	Comptt. : 2,3a,3b,4,5,6,10,11,12,13,14, 15,16,24,25,26/Rajwar Range : Rajwar Block : Handwara Division : Langate Forest Division District : Kupwara.
3.	Objective	The road will convert the destination into major tourist attraction as Gulmarg and with much wider meadows and vast majority of flora and fauna. The road will benefit population of 80,000 people.
4.	Salient Features of the project:	
	I	Total Length of the road
		35.50 Km.
	II	Length of the road through Forest land
		28000 Mtrs.

JACALPA
24/9

III	Width of the road	5.00 Mtrs.
IV	Therefore forest land required for road	14 Ha.
V	Area proposed for the Muck disposal sites on Forest Land	Nil. The PWD Department has given a certificate that the alignment of road from Handwara to Bangus phase 1 st by way of earth work in cutting and filling as such no surplus muck disposal site is required.
VII	Total forest area involved in the proposed project	14 Ha.
VIII	Protection work	The User Agency shall provide the protection on the forest land by retaining walls and crush barriers as given in the DPR.
5.	Crop Density of the area	Very Dense
a	Whether the forest land proposed to be used for non forest purpose forms part of a natural reserve, national park, wildlife sanctuary, biosphere reserve or forms part of the habitat of any endangered or threatened species of flora and fauna or any area lying in severely eroded catchment.	No
b	Whether the use of any forest land is for agriculture purposes or for the rehabilitation of displaced persons.	No
c	Whether the Principal Chief Conservator of Forests had certified that it has, considered all other alternatives and that no other alternative in circumstances are feasible and that the required area is the minimum needed for the purposes, and,	Yes
d	Whether the department or authority requisitioning forest land for non forest uses undertakes to provide at its own cost acquisition of an equivalent area and afforestation thereof.	The User Agency requisitioning forest land for non-forest purpose has not undertaken to provide cost of acquisition at its own. It has however agreed to provide cost of afforestation on double the forest area. Further it has also undertaken to pay the NPV as per the Hon'ble Supreme court directions.

502

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6. Number of Trees / Poles/ Saplings involved:

Species	Trees (30-40cm & above)	Poles (20-30cm & 10- 20cm)	Saplings (0-10cm)	Total
Deodar	137	217	175	529
Kail	43	92	38	173
Fir	267	31	23	321
Total	447	340	236	1023

7. Net Present Value of forest land involved:

Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
2,3a,3b,4,5, 6,10,11,12,1 3,14,15,16, 24, 25,26/Rajwa r	14	Very Dense	V	9.39	1,31,46,000/-

8. Compensatory Afforestation for double the forest area
i.e 28 @ Rs. 1 Lac per Ha.

Rs. 28,00,000/-

9. Compensation of trees/poles/saplings

Rs.53,67,360/-

10. Road side avenue plantation @ 6.00 Lac per Km.

Rs.1,68,00,000/-

The User Agency shall pay the amount summarized below to the Forest Department:-

S.No.	Component	Amount
i	Net Present Value	Rs.1,31,46,000/-
ii.	Compensatory Afforestation	Rs. 28,00,000/-
ii.	Compensation of trees	Rs.53,67,360/-
iii.	Road Side Avenue Plantation	Rs.1,68,00,000/-
Total		Rs. 3,81,13,360/-

Terms and Conditions:-

1. The proprietary and legal status of forest land shall remain unchanged.
2. The User Agency and /or its contractors will not bring any forest area under their use, other than the actual area/activity approved by the Government for the instant proposal. Any laxity or deviation on this account by the User Agency or its contractors will attract penal provisions of the relevant Acts/legal provisions.
3. The forest land shall be utilized only for the purpose for which it has been indented.

[Signature]

4. The forest land shall not be mortgaged, reassigned, leased or sub leased by user agency in any manner what so ever to any other agency.
5. The User Agency shall pay the amount summarized above to the Forest Department.
6. The User Agency shall pay the additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
7. (i) The extraction of the trees /poles/saplings shall be done by the State Forest Corporation/Divisional Forest Officer concerned on the basis of markings administratively approved by the Chief Conservator of Forests, Kashmir. The marking for tree felling will be done in consultation with the user agency and effort shall be made to save maximum number of trees/poles/saplings. The cost of extraction shall be paid by the User Agency directly to the agency executing the extraction. Efforts shall be made to reduce the number of trees coming in the alignment by 20%.
- (ii) The fundamental rule for marking of trees, enumerated during processing of the proposals, will be to save maximum number of trees without compromising with the construction and maintenance of the approved project structure and no trees/poles/saplings will be felled/cut/pruned/ lopped for purposes/project activities other than those approved/sanctioned.
8. The User Agency shall construct retaining walls/breast walls on forest land and take all necessary steps to check soil erosion which may result due to proposed construction.
9. Any damage done to the forest by the User Agency or its contractors shall be charged from the User Agency @ 10 times the standard rate of 1992.
10. The forest land so allowed for use shall return to the Forest Department free of any encumbrances when it is no longer required by the User Agency.
11. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning of the project.
12. The approval will remain valid for one year and in case the due amount against the project summarized above is not paid within the stipulated period the approval shall be deemed to have been cancelled.

By order of the Government of Jammu & Kashmir.

Sd/-
(Manoj Kumar Dwivedi)IAS
Commissioner / Secretary to Government
Forest, Environment & Ecology Department.
Dated:- 24-09-2019.

No: FST/Land/44/2017

Copy to the:-

1. Secretary to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
2. Commissioner/Secretary to Government, PWD(R&B) Department.
3. Principal Chief Conservator of Forests, J&K, Srinagar
4. Chief Conservator of Forests, Kashmir
5. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Srinagar
6. Director, Archives, Archaeology & Museums J&K, Srinagar
7. Chief Engineer, PMGSY, Kashmir.
8. Officer on Special Duty with the Advisor (K) to Hon'ble Governor.
9. Private Secretary to the Chief Secretary (Chairman FAC).
10. Pst. Secy. to Commr./Secretary to Government, Department of Forests, Environment & Ecology
11. Pst. Secy. to Secretary (Technical) Department of Forest, Environment & Ecology.
12. Government order file (w 2.S.Cs)

Under Secretary to Government
Forest, Environment & Ecology Department.

Government of Jammu and Kashmir

Office of the Principal Chief Conservator of Forests, J&K

NO. PCCF/FCA/2132/4171-75

Dated 10-10-2019

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests, Kashmir.
2. Conservator of Forests, North Circle, Sopore.
3. Chief Engineer, PW (R&B) Department, Kashmir.
4. Divisional Forest Officer, Langate Forest Division, Langate.
5. Executive Engineer, PWD (R&B) Division Handwara.

17.90

16/10/19

Alleged
monitor
North

(Section Officer)
FCA Section

5/10

10/10

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A A II .

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

Annexure-A-4

ANNEXURE-R-IV

The Commissioner / Secretary to Government
Forest, Ecology and Environment Department
Civil Secretariat, Srinagar

No: WLP/Legal-Kmr/2025/ 24

Date: 16.10.2025

Subject: O.A. No. 163/2024 (I.A. Nos. 305/2025 & 436/2025) titled Rasikh Rasool
Bhat Vs Government of UT J&K & Ors.
Reference: Your office communication No. FST-Liv/97/2024(7420212) dated
09.10.2025.

Madam,

With reference to your above cited communication regarding the subject, it is submitted that the order dated 22/08/2025 issued by the Principle Bench of the Hon'ble National Green Tribunal (NGT), New Delhi pertains to the violation of environmental norms in the execution of the work on Handware – Bangus Road Project in Rajwara Forest Area of Kupwara District. The said area is under the administrative control of the J&K Forest (Territorial) Department, falling in the Forest Division Langate and no Wildlife Protected Area is involved in the said project area. Furthermore, the said project does not require any wildlife clearance as per the FCA Rules.

Hence, submitted for kind information and further necessary action, please.

Yours faithfully

(Sarvesh Rai) IFS

Principal Chief Conservator of Forests (Wildlife) &
Chief Wildlife Warden, J&K

Copy for information to the:

1. Regional Wildlife Warden, Kashmir.
2. Wildlife Warden, North Division, Sopore.

GOVERNMENT OF JAMMU AND KASHMIR

ANNEXURE-R-V

CONFIDENTIAL
IMMEDIATE

Subject: Modification of Cabinet Decision No.31/03/2014 and approval for issuance of Government Sanction order for use of forest land for non forestry purposes where whole/partial compensation amount is pending for payment by indenting agencies.

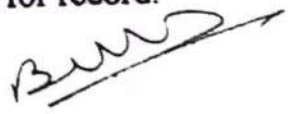
State Administrative Council Decision No. 189/19/2019 Dated: 30-07-2019

Memo.

I am to convey herewith the decision of the State Administrative Council (SAC) on the above subject, as quoted below:

Proposal approved.

Copies of the Government Orders / instructions, if any, issued in this behalf, may be sent to the General Administration Department for record.


(B. V. R. Subrahmanyam)
Secretary to the
State Administrative Council

Commissioner/Secretary to the Government,
Department of Forest, Environment & Ecology.

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Government of Jammu & Kashmir (UT)
 District Mineral Office Geology & Mining Department Kupwara
 email: dmlokup@gmail.com
 Tel. No: 01955-253572

DISPOSAL PERMIT

Permit No: 175
 Dated: 01-01-2024

Valid Upto:-06-01-2024

Subject: Construction of Bangus road phase 2nd KM 10th-17th

Reference: Ministry of Environment Forest and Climate Change (MOEFCC) Notification vide S.O 1224 (E) Dt. 28th March 2020.

Order

Whereas Executive Engineer PWD (R&B) has communicated for providing of GSB for execution of bangus road phase 2nd KM 10th-17th vide his office letter No: 7215- 18 dated: 12-10-2023.

Whereas Executive Engineer R&B Handwara has communicated for extension of permit vide his office letter No: 8198-99 dated: 20-10-2023

Whereas Executive Engineer I&FC Handwara has communicated the feasibility of the site for lifting of the material from Nallah Talri at Chalpura near playground vide his office letter No: 4103-06 dated: 30-12-2023

Whereas the Area Incharge Handwara has physically inspected the applied area and certified the availability of material to be removed by the applicant.

Whereas MOEFCC has issued a notification vide S.O 1224(E) dated 28th March 2020, where under in Appendix (IX), Dredging and de-silting of dams, reservoirs, weirs, barrages, rivers and canals for the purpose of their maintenance, upkeep and disaster management have been exempted from requirement of Environmental Clearances.

Keeping in view the nature of the work and time bound desiltation of the nallah, under Rule 56(2) (I) of the J&K Minor Mineral Concession, Storage, Transportation of minerals and prevention of illegal mining rules 2016, Disposal Permit is hereby granted in favour of Executive Engineer R&B Handwara through Jk Construction Company for removal of 800 Mts N/Mukh from Nallah Talri at chalpura near playground, in consideration of payment of Rs. 26,520.00 (Rupees Twenty Six Thousand Five Hundred and Twenty only) on account of advance Royalty and TCS applicable vide G.R No:1082062 dated:01-01- 2024 Subject to following terms and conditions:

- The Permit Holder will take all precautions for the protection of the environment and control of pollutions while removal of mineral at the site.
- The permit holder shall utilize One JCB for extraction of the river bed material.

[Signature]
 District Mineral Officer
 Geology & Mining Dept.
 Kupwara

Permit no 175
 dt 11.6.24
 Dated 06-01-2024

- The material so removed from the site is not supplied to any other agency or firm except the allotted projects and not to be used for commercial purpose.
- The Permit Holder will allow the Executive Staff and the officers of the Deptt. of Geology & Mining Deptt. to inspect, Check and measure the Minor Minerals at all stages including its transportation.
- The extraction/lifting of bed material be time bound i.e. 09:00 AM to 05:00 PM
- The Permit Holder shall abide by the provisions of Mines & Minerals (Development and Regulation) Act 1957 and rules made there under besides J&K mining rules 2016.
- Surrender this permit in original to this department after dispatching last consignment within a weeks' time.
- The process of extraction shall be restricted to a depth of 01 Mtr only. The permit Holder shall be strictly governed by Rule 60 of J&K Minor Mineral Concession, Transportation of Minerals and prevention of illegal Mining Rules 2016 failure of compliance/ any lapse/irregularities found during inspection shall be deemed to cancellation/Withdrawal of Disposal Permit without assigning any reasons forthwith.
- Stocking of the extracted material is strictly prohibited.
- Mechanical screening of the extracted material is strictly prohibited The Department shall not be responsible for any third party Claim.
- The validity of the permit shall be up to expiry of due date or consumption of the material, whichever is earlier

No: DMO/Kup/DP/23/ 3289-96
Dated: 01/01/2024

Authorized Officer
District Mineral Officer
Geology & Mining Deptt
Kupwara

Copy to the:

- Deputy Commissioner Kupwara for favour of information please.
- Joint Director (K) Geology & Mining Deptt Srinagar for information please.
- Ex. Engineer R&B Division Handwara for favour of information and with the remarks that all dues except cost of material has been collected from the permit holder.
- Executive Engineer I&FC Division Handwara for favour of information and necessary action please.
- Tehsildar Handwara for favour of information please.
- Station House Officer Handwara for favour of information please.
- Area Incharge Handwara for information and necessary action.
- ✓ JK Construction Company for information and compliance.
- Office file



DISPOSAL PERMIT

Permit No: 116
Dated:- 19-10-2023

Valid Upto:- 10-11-2023

Subject: Construction of Bangus road phase 2nd KM 10th -17th

Reference: Ministry of Environment Forest and Climate Change (MOEFCC)
Notification vide S.O 1224 (E) Dt. 28th March 2020.

Order

Whereas Executive Engineer PWD (R&B) has communicated for providing of GSB for execution of bangus road phase 2nd KM 10th -17th vide his office letter No: 7215-18 dated: 12-10-2023

Whereas Executive Engineer I&FC Handwara has communicated the feasibility of the site for lifting of the material to the tune of 2000 Mts from Nallah Talri (Sultanpora to Galgazna) vide his office letter No: 3022-23 dated: 19-10-2023

Whereas the Area Incharge Handwara has physically inspected the applied area and certified the availability of material to be removed by the applicant.

Whereas MOEFCC has issued a notification vide S.O 1224(E) dated 28th March 2020, where under in Appendix (IX), Dredging and de-silting of dams, reservoirs, weirs, barrages, rivers and canals for the purpose of their maintenance, upkeep and disaster management have been exempted from requirement of Environmental Clearances.

Keeping in view the nature of the work and time bound desiltation of the nallah , under Rule 56(2) (i) of the J&K Minor Mineral Concession, Storage, Transportation of minerals and prevention of illegal mining rules 2016, Disposal Permit is hereby granted in favour of Executive Engineer R&B Handwara through Jk Construction Company for removal of 2000 Mts N/Mukh in consideration of payment of Rs. 66,300.00 (Rupees Sixty Six Thousand and Three hundred only) on account of advance Royalty and TCS applicable vide G.R No:1076729 dated:19-10-2023

Subject to following terms and conditions:

- The Permit Holder will take all precautions for the protection of the environment and control of pollutions while removal of mineral at the site.
- The material so removed from the site is not supplied to any other agency or firm except the allotted projects and not to be used for commercial purpose.
- The Permit Holder will allow the Executive Staff and the officers of the Deptt. of Geology & Mining Deptt. to inspect, Check and measure the Minor Minerals at all stages including its transportation.
- The extraction/lifting of bed material be time bound i.e. 09:00 AM to 05:00 PM

[Signature]
District Mineral Officer
Geology & Mining Deptt.

- The Permit Holder shall abide by ~~681~~ provisions of Mines & Minerals (Development and Regulation) Act 1957 and rules made there under besides J&K mining rules 2016.
- Surrender this permit in original to the department after dispatching last consignment within a weeks' time.
- The process of extraction shall be restricted to a depth of 01 Mtr only.
- The Permit Holder shall be strictly governed by Rule 50 of J&K Minor Mineral Concession, Transportation of Minerals and prevention of illegal Mining Rules 2016 failure of compliance/ any lapse/irregularities found during inspection, shall be deemed to cancellation/Withdrawal of Disposal Permit without assigning any reasons forthwith.
- Stocking of the extracted material is strictly prohibited.
- Mechanical screening of the extracted material is strictly prohibited
- The Department shall not be responsible for any third party Claim.
- The validity of the permit shall be up to expiry of due date or consumption of the material, whichever is earlier.

No: DMO/Kup/DP/23/2360-67
Dated: 19/10/2023


19/10/2023
District Mineral Officer
Geology & Mining Deptt.
Kupwara.

Kupwara

Copy to the:-

- Deputy Commissioner Kupwara for favour of information please.
- Joint Director (K) Geology & Mining Deptt Srinagar for information please.
- Ex. Engineer R&B Division Handwara for favour of information and with the remarks that all dues except cost of material has been collected from the permit holder.
- Executive Engineer I&FC Division Handwara for favour of information and necessary action please
- Tehsildar Handwara for favour of information please.
- Station House Officer Handwara for favour of information please.
- Area Incharge Handwara for information and necessary action.
- JK Construction company for information and compliance.
- Office file



Government of Jammu & Kashmir (G.O.)
District Mineral Office Geology & Mining Department, Srinagar
Email: dmoo@jksm.gov.in
Tel: 90-81274 17572

DISPOSAL PERMIT

Permit No: 153
Dated: 28-11-2023

Valid Up to: 26-12-2023

Subject: Construction of Bangus road phase 2nd KM 10th-17th

Reference: Ministry of Environment Forest and Climate Change (MOEFCC) Notification vide S.O 1224 (E) Dt. 28th March 2020.

Order

Whereas Executive Engineer PWD (R&B) has communicated for providing of GSB for execution of bangus road phase 2nd KM 10th-17th vide his office letter No: 7215- 18 dated: 12-10-2023.

Whereas Executive Engineer R&B Handwara has communicated for extension of permit vide his office letter No: 8198-99 dated: 20-10-2023.

Whereas Executive Engineer J&FC Handwara has communicated the feasibility of the site for lifting of the material from Nallah Talri at Dobighat vide his office letter No: 3022-23 dated: 19-10-2023

Whereas the Area Incharge Handwara has physically inspected the applied area and certified the availability of material to be removed by the applicant.

Whereas MOEFCC has issued a notification vide S.O 1224(E) dated 28th March 2020, where under in Appendix (IX), Dredging and de-silting of dams, reservoirs, weirs, barrages, rivers and canals for the purpose of their maintenance, upkeep and disaster management have been exempted from requirement of Environmental Clearances.

Keeping in view the nature of the work and time bound desilting of the nallah, under Rule 56(2) (i) of the J&K Minor Mineral Concession, Storage, Transportation of minerals and prevention of illegal mining rules 2016, Disposal Permit is hereby granted in favour of Executive Engineer R&B Handwara through Jk Construction Company for removal of 4992 Mts N/Mukh in consideration of payment of Rs. 1,65,485.00 (Rupees One Lac Sixty Five Thousand Four Hundred and Eighty Five only) on account of advance Royalty and TCS applicable vide G.R No:1080812 dated:28-11- 2023

Subject to following terms and conditions:

- The Permit Holder will take all precautions for the protection of the environment and control of pollutions while removal of mineral at the site.
- The material so removed from the site is not supplied to any other agency or firm except the allotted projects and not to be used for commercial purpose.

Handwritten Signature
District Mineral Officer
Geology & Mining Dept.
Handwara

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- The Permit Holder will allow the Executive Staff and the officers of the Deptt. of Geology & Mining Deptt, to inspect, Check and measure the Minor Minerals of all stages including its transportation.
- The extraction/lifting of bed material be time bound i.e. 09:00 AM to 05:00 PM.
- The Permit Holder shall abide by the provisions of Mines & Minerals (Development and Regulation) Act 1957 and rules made there under besides J&K mining rules 2016.
- Surrender this permit in original to this department after dispatching last consignment within a weeks' time.
- The process of extraction shall be restricted to a depth of 01 Mtr only. The permit Holder shall be strictly governed by Rule 60 of J&K Miner Mineral Concession, Transportation of Minerals and prevention of illegal Mining Rules 2016 failure of compliance/ any lapse/irregularities found during inspection shall be deemed to cancellation/Withdrawal of Disposal Permit without assigning any reasons forthwith.
- Stocking of the extracted material is strictly prohibited.
- Mechanical screening of the extracted material is strictly prohibited The Department shall not be responsible for any third party Claim.
- The validity of the permit shall be up to expiry of due date or consumption of the material, whichever is earlier

No: DMO/Kup/DP/23/23902-09
Dated: 28/11/2023.


Authorized Officer
District Mineral Officer,
Geology & Mining Deptt
Kupwara

Copy to the:

1. Deputy Commissioner Kupwara for favour of information please.
2. Joint Director (K) Geology & Mining Deptt Srinagar for information please.
3. Ex. Engineer R&B Division Handwara for favour of information and with the remarks that all dues except cost of material has been collected from the permit holder.
4. Executive Engineer I&FC Division Handwara for favour of information and necessary action please.
5. Tehsildar Handwara for favour of information please.
6. Station House Officer Handwara for favour of information please.
7. Area Incharge Handwara for information and necessary action.
8. JK Construction Company for information and compliance.
9. Office file

Government of Jammu & Kashmir (UT)
District Mineral Officer (Geology & Mining) Department Kupwara
Email: dmokupw@gmail.com
Tel. No: 01922-345571

DISPOSAL PERMIT

Permit No: 56
Date: 22-07-2023

Valid Up to: - 02-08-2023

Subject: Construction of road from Handwara to Bangus Phase 2nd

Reference I: Letter from Executive Engineer (R&D) division Handwara vide No:
13452-56 dated: 11-03-2023

Order

Whereas Executive Engineer R&D Division Handwara has requested for providing of sub-base material (GSB) for construction of road from Handwara to Bangus Phase 2nd vide his office letter No:- 13452-56 dated: 11-03-2023

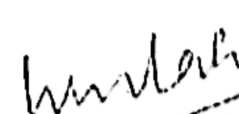
Whereas the contractor Abdul Rashid has subcontracted the project to Mohammad Altaf Bhat S/o: Ghulam Mohidin Bhat R/o: Langate vide his letter No: JKRCC/OM/AM/1159 dated: 01-04-2017

Whereas MOEFCC has issued a notification vide S.O 1224(E) dated 28th March 2020, where under in Appendix (IX), extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines etc. Have been exempted from requirement of Environmental Clearances.

Keeping in view the Govt. works of emergent nature and their time bond execution, under Rule 56(2) (i) of the J&K Minor Mineral Concession, Storage, Transportation of minerals and prevention of illegal mining rules 2016, Disposal Permit is hereby granted in favour of Mohammad Altaf Bhat S/o: Ghulam Mohidin Bhat R/o: Langate for removal of 2000 Mts of Mukh (GSB) from Maratgam (land vide khasra No: 576) in consideration of payment of Rs. 66,300.00 (Rupees sixty six thousand three hundred only) on account of advance Royalty, Application Fee and TCS applicable vide G.R No: 0916006 dated: 22-07-2023

Subject to following terms and conditions

- The Permit Holder will take all precautions for the protection of the environment and control of pollutions while removal of mineral at the site.
- The material so removed from the site is not supplied to any other agency or firm except the allotted projects and not to be used for commercial purpose.
- The Permit Holder will allow the Executive Staff and the officers of the Deptt. of Geology & Mining Deptt. to inspect, Check and measure the Minor Minerals at all stages including its transportation.
- The extraction/lifting of bed material be time bound i.e. 09:00 AM to 05:00 PM


District Mineral Officer
Geology & Mining Deptt.
Kupwara

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- The Permit Holder shall abide by the provisions of Mines & Minerals (Development and Regulation) Act 1957 and rules made there under besides J&K mining rules 2016,
 - Surrender this permit in original by this department after dispatching fast consignment within a weeks' time.
 - The permit Holder shall be strictly governed by Rule 00 of J&K Minor Mineral Concession, Transportation of Minerals and prevention of Illegal Mining Rules 2016 failure of compliance any lapse/irregularities found during inspection shall be deemed to cancellation/Withdrawal of Disposal Permit without assigning any reasons forthwith.
 - Work shall remain closed on Sundaye.
 - Stocking of the extracted material is strictly prohibited.
 - Mechanical screening of the extracted material is strictly prohibited
 - The Department shall not be responsible for any third party Claim.

No: DMO/Kup/DP/231/290.96
Dated: 22-07-2023

hmdns
Authorized Officer
District Mineral Officer
Geology & Mining Deptt
Kupwara

Copy to the:

- Deputy Commissioner Kupwara for favour of information please.
- Joint Director (K) Geology & Mining Deptt Srinagar for information please.
- Ex. Engineer (R&B) Division Handwara for favour of information please.
- Tehsildar Handwara for favour of information please.
- Station House Officer Handwara for favour of information please.
- Area Incharge Handwara for information and necessary action.
- Mohammad Altaf Bhat S/o: Ghulam Mohidin Bhat R/o/Langate for information and compliance
- Office file
- Tehsildar Handwara for favour of information please.
- Station House Officer Handwara for favour of information please.
- Area Incharge Handwara for information and necessary action.
- JK Construction Company for information and compliance.
- Office file



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Government of Jammu & Kashmir (GJ)
District Mineral Officer Geology & Mining Department Kupwara
Email: dmoffkupwara@gmail.com
Tel. No: 01944-34107

DISPOSAL PERMIT

Permit No: 08 23 L-7
Date: 20-05-2023

Valid Up to: - 31-05-2023

Subject: Construction of road from Handwara to Bangus Phase 2nd

Reference: Letter from Executive Engineer (R&B) division Handwara vide No:
13452-50 dated 11-03-2023

Order

Whereas Executive Engineer R&B Division Handwara has requested for providing of sub-base material (GSB) for construction of road from Handwara to Bangus Phase 2nd vide his office letter No:- 13452-50 dated: 11-03-2023

Whereas the contractor Abdul Rashid has subcontracted the project to Mohammad Altaf Bhat S/o: Ghulam Mohidin Bhat R/o: Langate vide his letter No: JKRC/OM/AM/1159 dated: 01-04-2017

Whereas MOEFCC has issued a notification vide S.O 1224(E) dated 28th March 2020, where under in Appendix (IX), extraction or sourcing or borrowing of ordinary earth for the linear projects such as roads, pipelines etc. Have been exempted from requirement of Environmental Clearances

Keeping in view the Govt works of emergent nature and their time bound execution, under Rule 56(2) (i) of the J&K Minor Mineral Concession, Storage, Transportation of minerals and prevention of illegal mining rules 2016, Disposal Permit is hereby granted in favour of Mohammad Altaf Bhat S/o: Ghulam Mohidin Bhat R/o: Langate for removal of 800 Mts of Muck (GSB) from Maratgam (land vide khasra No: 576) in consideration of payment of Rs. 20,520.00 (Rupees Twenty Six Thousand Five Hundred and twenty only) on account of advance Royalty, Application Fee and TCS applicable vide G.R No: 0914951 dated 20-05-2023

subject to following terms and conditions

- I. The Permit Holder will take all precautions for the protection of the environment and control of pollutions while removal of mineral at the site.
- II. The material so removed from the site is not supplied to any other agency or firm except the allotted projects and not to be used for commercial purpose.
- III. The Permit Holder will allow the Executive Staff and the officers of the Deptt. of Geology & Mining Deptt. to inspect, Check and measure the Minor Minerals at all stages including its transportation.
- IV. The extraction/lifting of bed material be time bound i.e. 09:00 AM to 05:00 PM
- V. The Permit Holder shall abide by the provisions of Mines & Minerals (Development and Regulation) Act 1957 and rules made there under besides J&K mining rules 2016.

District Mineral Officer
Geology & Mining Deptt.
Kupwara

Surrender this permit in original in
consignment within a week's time

687
525

atment after dispatching two

The permit Holder shall be strictly governed by Hule 60 of J&M Minor Mineral
Concession, Transportation of Minerals and prevention of illegal Mining Policy
2016 failure of compliance any lapamulganties found during inspection
shall be deemed to cancellation/Withdrawal of Disposal Permit without
assigning any reasons forthwith

VIII Work shall remain closed on Sundays.

IX Stocking of the extracted material is strictly prohibited.

X Mechanical screening of the extracted material is strictly prohibited

XI The Department shall not be responsible for any third party Claim.

No: DMO/Kup/DP/22/577-85
Dated: 20-05-2023

Authorized Officer
Mining Mineral Office
Geology & Mining Dept
Kupwara

Copy to the:

- Deputy Commissioner Kupwara for favour of information please.
- Joint Director (K) Geology & Mining Dept Srinager for information please.
- Ex. Engineer (R&B) Division Handwara for favour of information please.
- Tehsildar Handwara for favour of information please.
- Station House Officer Handwara for favour of information please.
- Area Incharge Handware for information and necessary action.
- Mohammad Altaf Bhat S/o: Ghulam Mohidin Bhat R/o: Langate for information and compliance
- Office file

ANNEXURE-R-VI









Latitude: 34.403956 P-49
Longitude: 74.193376
Altitude: 1628.0±6.35 m
Accuracy: 7.0 m
Time: 07-02-2026 12:50
Note: zachaldara bhenipora road

692

ANNEXURE-R-VII

Latitude: 34.403999 P-50
Longitude: 74.193261
Elevation: 1674.12±6.66 m
Accuracy: 9.0 m
Time: 07-02-2026 12:51
Note: zachaldara bhenipora road downstream

Powered by NoteCam



Latitude: 34.403974 P-51
Longitude: 74.193286
Elevation: 1674.12±6.72 m
Accuracy: 8.0 m
Time: 07-02-2026 12:52
Note: zachaldara bhenipora road



Latitude: 34.403897 P-52
Longitude: 74.193276
Elevation: 1677.42±5.56 m
Accuracy: 5.617 m
Time: 07-02-2026 12:55
Note: zachaldara bhenipora road culvert

695

ANNEXURE-R-VII

Latitude: 34.403868 P-53
Longitude: 74.193279
Elevation: 1674.12±7.13 m
Accuracy: 278.7 m
Time: 07-02-2026 12:52
Note: zachaldara bhenipora road upstream

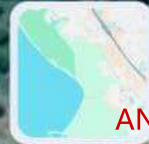
Powered by NoteCam



Latitude: 34.403985 p-54
Longitude: 74.193257
Elevation: 1668.61±6.36 m
Accuracy: 9.0 m
Time: 07-02-2026 12:51
Note: zachaldara bhenipora road



Zachaldara 697



ANNEXURE-R-VIII

p-55



← Zachaldara

Save to project

698



Government of Jammu and Kashmir

OFFICE OF THE EXECUTIVE ENGINEER R&B DIVISION HANDWARA.

S no	Name of work	District	Division	Sector	Bridge Road	Length Damaged	Temporary Restoration cost	Permanent restoration Cost

Copy to the:-

1. Assistant Executive Engineer R&B Sub-Division Handwara/Rajwar for information @ Submission of information as desired from the office of S.E. Office within one day
provisionally

NO:- 2771-72

Dt:- 027-08-2025

Bandy

All set for info. report
11/8/25V. Singh
11/8/25

S no	Name of work	District	Division	Sector	Bridge Road	Length Damaged	Temporary Restoration cost
1	Restoration of wing wall of minor bridge on wader payeen to Tand mohalla road	kupwara	handwara	bridge	bridge	10 m	5
2	Restoration of HZN road Km 17th	kupwara	Handwara	road	road	30 m	5
3	Jacketting of culvert on HZN km	kupwara	Handwara	Bridge	Bridge	4m	5
4	Restoration and Bed protection of minor Bridge at Checki mohalla zachaldara ✓	kupwara	handwara	bridge	bridge	12 m	8
5	Rajpora shartpora	kupwara	Handwara	road	road	100 m	15
6	baderkali road	kupwara	Handwara	road	road	3 m	7

NO: 213/SDR7
 Dt: 28/08/2025

Junior Engineer
 R&B Sub-Division Rajwar

Junior Engineer
 R&B Sub-Division Rajwar

Assistant Executive Engineer
 R & B Sub. Division
 Rajwar

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P-59

Office Address
 Srinagar Office : Forest Complex, Shiekh
 Bagh, Lal Chowk, Sgr-190001 Phone: 0194-2483937
 Jammu Office : Forest Resource Mgmt. Centre,
 Narwal Jammu-180006 Phone: 0191-3511909



URL Address: www.jkforest.gov.in
 E-mail: pccf.jk@nic.in,
lawpccfjkforest@gmail.com



Jammu & Kashmir Forest Department
Office of the Pr. Chief Conservator of Forests & HoFF
Government of Jammu & Kashmir

The Commissioner Secretary to Government,
 Department of Forest, Ecology & Environment,
 Civil Secretariat, UT of J&K, Srinagar.

No: PCCF/Lit/420/ **863-66**

Dated: **5** .02.2026.

Subject: O.A No. 163/2024 titled Rasikh Rasool Bhat and others V/s Union Territory of J&K and Others.

Ref: CCF (K)/LO/2026/79-82 dated 02.02.2026.

Madam,

Regarding the subject and reference cited above and in response to your communication dated 19.01.2026, I am directed to forward herewith the point wise reply/response in light of the directions dated 13.01.2026 passed by the Hon'ble National Green Tribunal, New Delhi in the above captioned matter, for favour of information and further course of necessary action, at your end, please.

Encls: A/A.

Yours faithfully,

(Ajaz Ahmad) JKAS,
 Personnel Officer

Copy to the:-

01. Chief Conservator of Forests, Kashmir for information. This has reference to their letter referred to above.
02. Conservator of Forests, North Circle, Sopore for information.
03. Divisional Forest Officer, Langate Forest Division, for information and follow up in this regard.



**Government of Jammu and Kashmir,
OFFICE OF THE CHIEF CONSERVATOR OF FORESTS KASHMIR**

Office Address: Sheikh Bagh Forest Complex Srinagar - 190001
Tel No. 0194-2455114 (Fax) 0194-2455366



**The Principal Chief Conservator of Forests and HoFF,
Jammu and Kashmir Government,
Jammu.**

No. CCF(K)/LO/2026/79-82.

Dated:02.02.2026.

**Subject: - O.A. No. 163/2024 titled Rasikh Rasool Bhat Vs.
Union Territory of Jammu & Kashmir & Others.**

Reference: PCCF/Lit/420/842-44, dated 30.01.2026.

Sir,

Regarding the subject and reference cited above. The requisite information has already been submitted vide this Office communication No. CCF(K)/LO/2026/F.130/75-78, dated 30.01.2026. The same is once again submitted for further course of necessary action at your end, please.

Yours faithfully,


**Chief Conservator of Forests,
Kashmir – Srinagar.**

Copy to:-

1. Conservator of Forests, North Circle, Sopore for information and follow up.
2. Divisional Forest Officer, Lanagate Forest Division, Langate for information follow up.
3. Assistant Legal Remembrancer, Office of the Prl. Chief Conservator of Forests & HoFF, Jammu & Kashmir Government, Jammu for information and necessary action.



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Government of Jammu and Kashmir,
OFFICE OF THE CHIEF CONSERVATOR OF FORESTS KASHMIR
Office Address: Sheikh Bagh Forest Complex Srinagar - 190001
Tel No. 0194-2455114 (Fax) 0194-2455366



**The Prl. Chief Conservator of Forests and HoFF,
Jammu and Kashmir Government,
Jammu.**

No. CCF(K)/LO/2026/F.130/75-78.

Dated: 30.01.2026.

Subject: - O.A. No. 163/2024 titled Rasik Rasool Bhat Vs. Union Territory of Jammu & Kashmir & Others.

Reference: Hon`ble NGT Order dated 13.01.2026.

Sir,

Regarding the subject and reference cited above, the point wise reply/response in light of the directions dated 13.01.2026 passed by the Hon`ble National Green Tribunal, New Delhi is humbly submitted as under: -

Points raised by Applicant Mr. Rasik Rasool.	Response
1. That the compliance Report failed to in addressing the grave statutory, constitutional and ecological violations committed in execution of the Handwara-Bangus Road Project of PWD. 2. That the report discloses a shocking revelation that in the entire J&K 82,327 trees felled in the 154 projects Total CA liability: ₹80,73,37,720 and Unpaid dues: ₹45,33,50,710 3. That the compliance report fails the test of Environmental rule of law, precautionary principle, Public trust doctrine and Inter-generational equity as consistently upheld by the Hon`ble Supreme Court and this Hon`ble Tribunal.	That it is submitted that the Forest (Conservation) Act, is a unique regulatory legislation reflecting the collective national resolve to protect biodiversity and natural heritage, while permitting only unavoidable diversion of forest land for developmental purposes. The Act embodies the commitment of State to balancing the forest conservation with sustainable development, contributing to environmental protection, public health and economic growth. That the Act is regulatory rather than prohibitory and, since its enactment, has enabled essential developmental activities such as power and irrigation projects, roads, railways, schools, hospitals, rural electrification, telecommunications, drinking water facilities while effectively curbing indiscriminate diversion of forest land. That the instant case pertains to Handwara-Bangus road and in terms of Government Order dated 24.09.2019, the User Agency was required to deposit compensatory levies amounting to Rs

4

	3.81 crore for forest clearance, which has been remitted into the designated account of the Forest Department. That it is submitted that the Government of Jammu and Kashmir is actively pursuing recovery of outstanding compensatory levies from all concerned User Agencies. The Government has also taken a categorical and prospective policy decision that no future cases pertaining to diversion of forest land shall be processed in respect of any User Agency unless all outstanding compensatory levies are fully cleared. That in this regard, two meetings have been held under the Chairpersonship of the Chief Secretary on 18 July 2025 and 15.12.2025, wherein specific directions have been issued directing reconciliation and recovery of outstanding dues.
4. That the very identity of the project is uncertain, inconsistent, and manipulated: <i>a) At one instance, the road is described as an Other District Road (ODR) with a length of 29 km.</i> <i>b) At another instance, it is described as a Major District Road (MDR) with an enhanced length of 39 km.</i> 5. That such alteration in classification and length is a material change requiring fresh Forest clearance, environmental impact appraisal, wildlife clearance and public consultation. 6. That the unilateral enhancement of the road length to over 40 km, without statutory clearances, renders the entire project illegal <i>ab initio</i>.	That in reply to the averments, it is respectfully submitted that the approved length of the road passing through forest land, as sanctioned vide Government Order No. 281-FST of 2019 dated 24-09-2019, is 28 kilometres. Rest of the road length is through propriety (private) land. The length of the road traversing forest land remains 28 kilometres only, which stands duly cleared under the provisions of the erstwhile Jammu & Kashmir Forest (Conservation) Act, 1997. The allegation regarding construction of a 40-kilometre road within forest land is factually incorrect. Consequently, the project has been executed strictly in accordance with the statutory approvals and is fully lawful and within the four corners of law.
7. That tenders for Phase-I were floated on 01.06.2017 and allotment was issued on 21.07.2017. 8. That the Forest Advisory Committee (102nd meeting) was convened only on 26.07.2017, i.e., after the project had already been awarded.	That the proposal was processed under the provisions of the J&K Forest Conservation Act, 1997 and was cleared by the Forest Advisory Committee (FAC) in its 102nd meeting held on 06.09.2017. That the proposal, after having been duly examined and cleared by the Forest Advisory Committee (FAC), was placed before the State Cabinet and was approved vide Cabinet

9. That the FAC approved the proposal in principle, solely on the ground that: <i>"The work for the road has already been allotted"</i>. 10. That such reasoning is wholly impermissible, as no authority can allow fait accompli, grant post-facto environmental approvals, subordinate statutory safeguards to administrative convenience.	Decision No. 178/11/2017 dated 03.10.2017. That, it is submitted that, at the relevant point of time, i.e., prior to the Reorganization of the State in 2019, the erstwhile State of Jammu and Kashmir was governed by its own statutory regime. The said proposal was, processed, examined and approved by the competent authorities strictly in accordance with the provisions of the legal framework then in force. That the forest clearance for diversion of forest land for the said road project was issued vide Government Order No. 281-FST of 2019 dated 24.09.2019. That since, the proprietary land falls at the forefront of the project alignment, the construction work on proprietary land commenced on 27.10.2017. That felling of trees on forest land was undertaken only after 31.12.2019, i.e., after issuance of statutory approvals and handing over of trees to the J&K Forest Corporation. Allotment of timber extraction work to JK Forest Corporation has been placed on record which clearly substantiates that the felling activity occurred after due authorization.
11. That forest clearance was granted after substantial execution of work, in direct violation of Rule 7(c) of the Jammu & Kashmir Forest (Conservation & Afforestation) Rules, 2000 (SRO-203 dated 13.06.2000), which reads as <i>"Whether the Principal Chief Conservator of Forests had clarified that it has considered all other alternatives and no other alternate in circumstances are feasible and the required area is minimum needed for the purpose."</i> Page No: 179 and 200. 12. That the minimum forest requirement certificate was given in violation of above rules. As, the existing road known as Handwara-Zachaldara-Wadder Bala	That the certificate of "Minimum Forest Requirement" is a formal and statutory assurance provided by the user agency certifying that <i>"only the bare minimum forest land strictly required for execution of the project has been requisitioned and that no avoidable forest area is proposed to be diverted."</i> That the Bangus area is surrounded by forests on all sides, and there exists no viable direct alternative access on Handwara side except through forest land. The requirement of forest diversion for providing connectivity to the said area has been, therefore, inevitable and unavoidable.

Road was available and from **Wadder Bala only 7 Kms** from the forest land/area was required to connect the Bangus.

13. That the certificate of minimum use of forest land was issued by Executive Engineers, PWD Division Handwara in consultation with then Assistant Executive Engineer, now Executive Engineer, and then Divisional Forest Officer (DFO) Langate vide No: **07/08/2017. Page No: 332.**

14. That the said certificate was also issued after the tender allotment of the road project by **Chief Engineer PWD Kashmir dated: 21/07/2017.** It is reflected on **Page No.: 470.**

15. That the map is clearly showing that there was existing route available from **Handwara-Zachaldara upto Wadder.** The impugned road project via very dense forests of **Rajwar area** is also connecting at **Wadder Bala** with existing route which is evident also.

16. That the impugned alignment was deliberately routed through **very dense forests of Rajwar,** causing irreversible ecological damage.

17. That the minimum forest use certificate was given in violation of the **J&K State Forest Rules** as well as **Central Forest Acts and Rules.**

18. That **Forest Advisory Committee** neglected the proposal of Forest Department that the area is having **endangered species, wild animals** and if the proposal is approved it will adversely affect the entire area and will impact the overall ecology.

19. That no forest clearance was availed for the **Phase Second** of the impugned road project, as no such forest clearance is reflected in any respondents report / compliances.

That the Handwara-Zachadara-Wadder Bala road alignment also traverses forest land, and the user agency, after due technical, financial and administrative examination by the competent authorities, preferred connectivity via **Handwara** instead of **Wadder.** The selection of the said alignment has been made on the basis of objective and rational parameters, including technical feasibility, availability of funds, shortest feasible distance, terrain conditions, safety considerations and strategic significance, as assessed by the concerned expert and Engineering authorities, and not on any arbitrary, extraneous or *mala-fide* considerations.

That the applicant has raised grievance solely with respect to the location and alignment of the road, questioning why the road was not constructed via Wadder. It is submitted that such grievance does not stem from any concern for forest conservation, but is confined to the preferred routing of the road through his village. **It reveals that the grievance is motivated and pertains to the alignment choice of the project not for conservation of forests and ecology.**

That the proposal under the J & K Forest (Conservation) Act, underwent rigorous scrutiny at all statutory and administrative levels, commencing from the office of the Divisional Forest Officer and culminating at the highest level of decision-making. The proposal was examined exhaustively and no deficiency, lacuna, misrepresentation, or deviation from prescribed prerequisites or formalities was noticed at any stage. That upon due consideration, the proposal was placed before the Forest Advisory Committee (FAC) and was accorded approval in its 102nd meeting held on 06.09.2017. Thereafter, the proposal was placed before the State Cabinet, which approved the same vide Cabinet Decision No. 178/11/2017 dated 03.10.2017. Consequently, the final forest clearance for diversion of forest land for the said

	road project was issued vide Government Order No. 281-FST of 2019 dated 24.09.2019. That the forest land involved in the project does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, or Natural Reserve, nor does it constitute habitat of any endangered or threatened species of flora or fauna, and further does not fall within any severely eroded catchment area. That the division of the project into Phase-I and Phase-II does not relate to different road stretches, but pertains to different stages of construction along the same road alignment. The Executive Engineer, R&B (PWD) Division, Handwara, vide communication No. 4194-96 dated 16.10.2025 has clarified that: (i) Under Phase-I, pertains to earth cutting, cross-drainage works and protective works on the diverted forest land; (ii) Phase-II pertains to the laying of Granular Sub-Base (GSB), Grade-II, Wet Mix Macadam, Bituminous Macadam with seal coat and installation of road furniture along the entire length of the Handwara-Bangus Road.
20. That forest clearance was granted only on 24-09-2019. 21. That records at pages 369-370 reveal bills worth Rs 738.37 crores drawn during 2017-18, 2018-19, 2019-20, Activities included tree felling, earth cutting and blasting. 22. That trees were extracted even during 2020-21, blatantly contradicting statutory timelines and clearance conditions. Page 370. 23. That work was commenced not only propriety land but also on forest land prior	That, as the proprietary land lay at the forefront of the approved project alignment, construction activities were commenced on such proprietary land before forest clearance and the expenditure incurred during this period pertained essentially to road formation works executed on proprietary land. Mere reference to bills does not establish that any unauthorised activity was carried out on forest land prior to grant of forest clearance. That the felling of trees on forest land was undertaken only after 31.12.2019, strictly after grant of all requisite statutory

to grant of forest clearance which is evident with the records. Bills drawn at near about Rs 738.37 crores drawn. Tree felling, earth cutting was done without forest clearance / environmental clearance and Environment Management Plan (EMP) and Wild Life Conservation Plan. 24. That such acts constitute: • Criminal breach of Forest Conservation Act, 1980. • Environmental damage attracting the polluter pays principle	approvals under the applicable laws and after formal handing over of the marked trees to the J&K Forest Development Corporation. That the reported violation which involved the illegal felling of five trees in Compartment No. 26-A/Rajwar, in respect of which a damage bill amounting to ₹2,25,890/- was raised by the Forest Department against the concerned construction agency and the said amount stands fully recovered.
25. That Condition No.12 of the Phase 1 forest clearance clearly stipulates that failure to deposit compensatory levies within one year results in automatic cancellation. (Page 480) <i>"The approval will remain valid for one year and in case the amount against the project compensated is not paid within the stipulated period, the approval shall be deemed to have been cancelled."</i> 26. That the user agency failed to deposit the amount between: 24.09.2019 to 23.09.2020. 27. That payment was made only on 08.01.2025, after intervention by this Hon'ble Tribunal. 28. That the project was in the year 2017 without forest clearance and after expiry of Forest clearance granted in the year 2019 for nearly six years, the project continued without a valid forest clearance, rendering all actions during this period illegal.	That the State Administrative Council (SAC), vide Decision No. 189/19/2019 dated 30.07.2019, exempted the requirement of prior payment of compensatory levies in respect of projects executed by the State Government, including PMGSY and other public infrastructure projects. That in pursuance of the aforesaid decision, all cases which were earlier withheld solely on account of non-payment of compensatory levies were processed and cleared, and sanction orders for diversion of forest land were accordingly issued by the Government of Jammu and Kashmir. That any delay, if at all, in remittance of compensatory levies occurred due to administrative transition following the re-organization of the erstwhile State of Jammu and Kashmir with effect from 05.08.2019, coupled with the disruptions caused by the COVID-19 pandemic, and was neither deliberate nor attributable to any non-compliance on the part of the user agency. That in terms of Government Order dated 24.09.2019, the User Agency was required to deposit compensatory levies amounting to ₹3.81 crore, which have since been duly remitted into the designated account of the Forest Department.
29. That it is shocking revelation in the Compliance Report that on pages 498 to	That it is submitted that the Government of Jammu and Kashmir is actively pursuing

509 that **82,327 trees** were felled in Jammu and Kashmir (*erstwhile State J&K*) under the **Forest Conservation Act**, summarising a total of **154 projects** amount ₹ **80,73,37,721** (*Eight Hundred Seven million Three Hundred Thirty Seven Thousand Seven Hundred Twenty One*).

30. Total due calculated as CA for the number of **154 projects** out of which ₹ **35,39,87,011** (*Three Hundred Fifty Three million Nine Hundred Eighty Seven Thousand Eleven*) are paid.

31. While ₹ **45,33,50,710** (*Four Hundred Fifty Three million Three Hundred Fifty Thousand Seven Hundred Ten*) are unpaid

32. That this revelation is a major setback to the Environmental Governance in J&K. While all the norms of the Environmental compliances were violated and it is evident that huge reduction of forests has occurred without balancing the development and environment and ecology.

33. That the compliance report is not in alignment with erstwhile J&K State and Central Environment Protection laws or forest acts and their allied laws giving impunity to the environment violations on the backdrop of con orders of J&K Govt order reflected on page no. 510.

34. That it's not only the violation of the Environmental Protection Laws but also direct violation and disobedience of Article 48A (a directive principle of state policy of the states), and Article 51A (g) (Fundamental duties for citizens) and Article 21 of the Constitution of India

recovery of outstanding compensatory levies from all concerned User Agencies. The Government has also taken a categorical and prospective policy decision that no future cases pertaining to diversion of forest land shall be processed in respect of any User Agency unless all outstanding compensatory levies are fully cleared. That in this regard, two meetings have been held under the Chairpersonship of the Chief Secretary on **18 July 2025** and **15.12.2025**, wherein specific directions have been issued directing reconciliation and recovery of outstanding dues.

That the Forest Department is already in the process of reconciling dues with the concerned User Agencies and has recovered ₹ **138.30 crores** against the outstanding liabilities since **01.12.2019** to **15.12.2025**. Besides, **23 cases** pertaining to **Jal Shakti, Public Works and Rural Development departments** have been returned for clearance of outstanding compensatory levies before further processing.

That it is respectfully submitted that the alleged felling of trees without prior deposition of compensatory levies was neither on account of any individual lapse, omission nor misconduct on the part of the field officers, but was undertaken strictly in accordance with the policy decision of the State Administrative Council (SAC), Government of Jammu and Kashmir, taken in the year 2019.

That the State Administrative Council, vide Council Decision No. **189/19/2019** dated **30.07.2019 (copy enclosed)**, approved a policy permitting the use of

which is right to clean and healthy environment.

35. That no disciplinary or criminal action has been initiated against erring officials.

36. That reliance on the **State Administrative Council order dated 30.07.2019** is legally untenable, as:

37. It applies only to projects already granted forest clearance prior to its issuance.

38. Forest clearance for the present project was granted on **24.09.2019**.

39. That the said order is being misused as a **protective shield for illegality**.

40. That the order reflecting on page 90 dated **30-07-2018** is not applicable for the impugned road project that is Handwara-Bangus road constructed by the PWD Kashmir, as this order of State Administrative Council was meant for the projects where forest clearance were already granted, prior to its issuance date i.e. **30-07-2019**. And this order was applicable for the projects already executed or had been already given forest clearances. The subject of this order reads:

"Modification of Cabinet decision number 31/03/2014 and approval for issuance of Govt sanction order for use of forest land for non-forestry purposes where whole/partial compensation amount is pending for the payment by intending agencies"

41. That forest clearance for Handwara-Bangus road project was granted out of preview of above mentioned order as the same was issued on **24/08/2019** that is after the State Administrative Council decision.

42. That the detailed report / objections has been on record before the Hon'ble

forest land for non-forestry purposes even where whole or partial compensatory levies were pending for payment by the indenting agencies. The said policy decision was applicable to the instant project, as the proposal had already been cleared by the Forest Advisory Committee (FAC) in its **102nd meeting held on 06.09.2017** and was approved by the State Cabinet vide **Cabinet Decision No. 178/11/2017 dated 03.10.2017**. However, the issuance of the final order remained pending owing to the embargo imposed under the earlier Cabinet Decision No. **31/03/2014**, which mandated prior payment of compensatory levies.

That pursuant to the modification of the aforesaid Cabinet Decision No. 31/03/2014 through Council Decision No. **189/19/2019 dated 30.07.2019**, the embargo was lifted and accordingly, forest clearance for diversion of forest land for the said road project was issued vide **Government Order No. 281-FST of 2019 dated 24.09.2019**.

That with regard to damage of bridge due to illegal extraction of River Bed Material

Tribunal which can be reflected on page no. **379 to 388**.

43. That the report submitted by the DMO Kupwara is misleading. As, the physical position of the Dobigat is clearly only **200 meters downstream** the bridge located at **Zahaldara on Zahaldara-Satkoji road**.

44. That the bridge has inflicted great damage to column supports and embankments vandalized.

45. That the present position of Nallah at Dobigat is in shambles as huge river bed material was excavated without environmental clearances on the persistent requests by the Executive Engineers PWD Hoshiarpur to Irrigation and Flood Control Department.

46. That despite Irrigation and Flood Control department's repeated reluctance, Executive Engineers PWD Handwara identified site himself near and between the two vital bridges. Same can be reflected on page no. **331**.

47. That the letter of District Mineral Officer Kupwara reflected on page no. **528-529** is not only misleading but a deliberate shield for environment compliance violations and mineral and mining concession rules.

48. That the destruction caused in the river nallah has damage to column support of bridges and embankments is clearly visible by below latest geo-tagged photographs.

at Dobighat in Nallah Talri, it is submitted that

i. That the site for the removal of accumulated sediment/shoal from Nallah Talri was identified and formally recommended by the Executing Engineer, Irrigation & Flood Control (I&FC) Division, Handwara.

ii. That the specified location at Dobighat was selected due to the significant accumulation of shoal deposition. This selection was conducted in strict adherence to the Environmental Management (EM) Guidelines for sand mining, with paramount consideration given to the protection of critical infrastructures, including bridges and roads.

iii. That the necessary permissions for the extraction of this shoal material were granted by DMO, Kupwara in full compliance with the regulatory framework established under S.O. 599 dated 15th November, 2022. The S.O. 599 amended the relevant mining regulations, specifically Rule 94 of the Jammu and Kashmir Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 notified vide SRO-105 dated 31.03.2016. The amendment introduced a provision, inserted after clause (iii) of sub-rule (2), which stipulates as under:

"River bed material shall not be extracted upto the distance of five times the span of a bridge or public civil structure (including water intake points) on the upstream side and ten times the span on the downstream side, subject to a maximum of 250 meters upstream and 500 meters downstream."

The site selection and the subsequent authorization were meticulously aligned with these prescribed safety distances. In view of the foregoing, it is submitted that the activity was conducted in a lawful and compliant manner, with due diligence

	exercised to safeguard both the environment and public assets.
49. That work on the Phase Second road project is executed in complete absence of the Forest clearance as no forest clearance for Phase Second is reflected in the respondent No. 01's compliance report or any other compliance reports, which as admitted by silence in the compliance report. 50. Mountains were blasted without mandatory environment clearances and the road project was enhanced in length from approved 29 kms to more than 40 kms without any forest clearance and environment and wildlife compliances. 51. The wildlife protection in our country is primarily guided by Article 48A (States' duty to protect environment and wildlife) and Article 51A(f) (Citizens' duty to protect environment and wildlife). 52. That proposal put forth before the Forest Advisory Committee, reflected on page 320, was clearly mentioning that: (e) There is presence of Himalayan Black Bear, Leopard, Jackal, Himalayan Goral, Himalayan Snow-cock. 53. That proposal also mentioned that <i>"The proposed project will have adverse effect on 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"</i>. 54. That Forest Advisory Committee, without consulting / deliberating on Schedule One and Schedule Second wildlife animal presence in the very dense forest area, only on the principal view: "The proposal was approved in principal in view of the request of Chief Engineer, PWD (R and B)."	That the division of the project into Phase-I and Phase-II does not relate to different road stretches, but pertains to different stages of construction along the same road alignment. That it is respectfully submitted that the approved length of the road passing through forest land, <i>as sanctioned vide Government Order No. 281-FST of 2019 dated 24-09-2019</i>, is 28 kilometres. That the forest land involved in the project does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, or Natural Reserve, nor does it constitute habitat of any endangered or threatened species of flora or fauna, and further does not fall within any severely eroded catchment area. That, the project did not attract any separate clearance requirement from the Wildlife Department, and the execution of the project has remained within the four corners of law. Further, in terms of Government of India Notification No. F.No.6- 60/2020WL dated 16.07.2020 provides for the clearance of projects from the Standing Committee of the National Board of Wild Life will be required outside Protected Area in the following cases:- <i>Proposals involving project/ activity located within the notified ESZ (not being draft notification) and listed in the Schedule of the EIA Notification 2006 and requiring environment clearance, prior clearance from Standing Committee of the National Board for Wild Life will be required.</i> <i>Proposals involving activity/ project located within 10 km of National Park/ Wildlife Sanctuary wherein ESZ has not been finally notified and listed in the Schedule of the EIA</i>

55. That the work for the road has already been awarded and funds allocated, the Chief Secretary / Chairman, FAC directed that efforts be made to reduce the number of trees coming in the alignment by **20%**. Same is reflected on Page No. **475**, Agenda No. **102.12**.

56. That proposal put forth before the Forest Advisory Committee was also indicating that nothing was documented that the area is a breeding ground of any endangered species.

57. That since the inception of the said Road Project, since the year **2017**, sudden spike of human and wild animal conflict were reported in the Rajwar local residential areas. Since **2017 to March 15th, 2025**, **128** numbers of human-animal conflict incidents occurred in the Rajwar area. **Four persons** have been killed by wild animals, while **nine** were injured, and more than **136 SOS calls** have been received by the Wildlife Department. Same can be reflected on Page No. **321**.

58. That wild animals are often seen/observed in the Rajwar area, who have been displaced by the **Handwara-Bangus road project**.

Notification 2006 and requiring environment clearance, prior clearance from Standing Committee of the National Board for Wild Life will be required.

iii. Proposals involving activity/project, falling outside the protected areas linking one protected area or tiger reserve with another protected area or tiger reserve, prior clearance from the Standing Committee of the National Board for Wild.

Pertinent to mention here that the instant project does not fall within the ambit of any of the above-mentioned categories as such clearance from the Wildlife Authority was not separately required when the permission has been accorded by the Forest Department under prevalent statutory provisions.

The copy of the reply/response of Divisional Forest Officer, Langate Forest Division, Langate vide No. DFO/LGT/ESTT/2025-26/2967-68 dated 22.01.2026 is enclosed.

Hence, submitted for further course of necessary action at your end, please.

Yours faithfully,

**Chief Conservator of Forests,
Kashmir – Srinagar.**

Copy to:-

1. Conservator of Forests, North Circle, Sopore for information and follow up.
2. Divisional Forest Officer, Lanagate Forest Division, Langate for information follow up.
3. Assistant Legal Remembrancer, Office of the PCCF & HoFF, J&K Government, Jammu for information and necessary action.

GOVERNMENT OF JAMMU AND KASHMIR

CONFIDENTIAL
IMMEDIATE

Subject: Modification of Cabinet Decision No.31/03/2014 and approval for issuance of Government Sanction order for use of forest land for non forestry purposes where whole/partial compensation amount is pending for payment by indenting agencies.

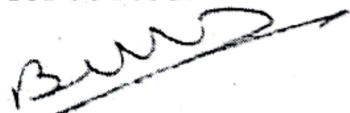
State Administrative Council Decision No. 189/19/2019 Dated: 30-07-2019

Memo.

I am to convey herewith the decision of the State Administrative Council (SAC) on the above subject, as quoted below:

Proposal approved.

Copies of the Government Orders / instructions, if any, issued in this behalf, may be sent to the General Administration Department for record.



(B. V. R. Subrahmanyam)
Secretary to the
State Administrative Council

Commissioner/Secretary to the Government,
Department of Forest, Environment & Ecology.



P-73

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

The Conservator of Forests,
Kashmir North Circle,
Sopore.

No:- DFO/LGT/ESTT/2025-26/ 2967 - 68

Dated:- 22-01-2026.

Sub: O.A No. 163/2024 titled Rasikh Rasool Bhat Vs Union Territory of Jammu & Kashmir & Others.

Ref: Your office Communication No. FD/CFN/LO/2025-26/416-417 Dated: 21-01-2026

Sir,

Kindly refer your office communication under reference regarding the cited subject matter. In this connection, it is respectfully submitted that replies to most of the issues raised by the applicant involve matters of policy, inter-departmental coordination, or decisions taken at higher level, and therefore are required to be addressed at the competent authority level. However, replies to the points pertaining to this department/division are submitted hereunder for kind perusal and further necessary action.

1. Replies to Point No's. 1, 2 & 3 of the objections filed by the petitioner pertains to higher level consideration and requires response at appropriate level.
2. Point No's 4 & 5 are attributed to the User Agency (PWD (R&B))
3. In reply to the averments made under Point No. 6, it is respectfully submitted that the approved length of the road passing through forest land, as sanctioned vide Government Order No. 281-FST of 2019 dated 24-09-2019, is 28 kilometers.

However, it is admitted that at certain isolated locations, instances of unauthorized extra earth cutting by User Agency/Construction Agency was reported. The same were promptly taken cognizance of by this Division, and legal action as warranted under law was initiated against the violators. In this regard, reference is invited to FIR No. 239/2023 registered by forest officials of Rajwar Range at Police Station Handwara, which clearly demonstrates the proactive and vigilant approach of the Forest Department in safeguarding forest land and enforcing statutory provisions.

4. In reply to the averments made under Paras 7, 8, 9 and 10, alleging illegal commencement of Phase-I of the project prior to grant of forest approval, it is respectfully submitted that the user agency commenced earth cutting after the Cabinet decision dated 03.10.2017, primarily on non-forest land, and in some accessible stretches of forest land which did not bear any forest crop at the relevant time. However, no general or blanket permission for execution of works on forest land was granted by the Forest Department prior to statutory approvals. It is submitted that any instance of deviation or unauthorized activity by the user agency was promptly taken cognizance of by the Forest officials of this Division. In this regard, reference is invited to FIR No. 449/2018 dated 30-11-2018 lodged by Range officer Rajwar in Ps

[Handwritten signature]



Handwara against violators for damage to 05 no. Of trees in co. 02/rajwar and for commencing the work without formal approval from competent authority.

- 716 P-74
5. Point No. 11 pertains to higher-level consideration; reply to be submitted at the appropriate level.
 6. In reply to point 12, it is submitted that the certificate of minimum use of forest land was issued after examining every possible alternative alignment through forest land, supported by field verification and technical assessment, feasibility, public interest, and connectivity requirements.
 7. In reply to point 13, it is submitted that the certificate of minimum use of forest land was issued following the prescribed procedure and in consultation with concerned engineering wing. The same does not suffer from any procedural or legal infirmity.
 8. In reply to point 14, it is submitted that the issue raised therein pertains to the tendering process and administrative actions of the tendering department. The same is required to be replied to by the concerned tendering authority at the appropriate level.
 9. In reply to points 15 and 16, it is submitted that all possible alternative alignments through forest land were duly examined, and the approved alignment was found to involve the least diversion of forest land while remaining technically feasible. It is denied that the alignment was deliberately routed through very dense forest. The alignment was finalized after due field survey with adequate safeguards and mitigation measures as prescribed under rules.
 10. In reply to point 17, it is submitted that the proposal was processed in accordance with applicable laws, rules, and guidelines and the alleged violation of provisions of the J&K State Forest Rules or Central Forest Acts by applicant, is denied in toto.
 11. In reply to point 18, it is submitted that the issues raised therein involve policy decisions, which are required to be examined and replied to at the appropriate and competent level.
 12. In reply to point 19, it is submitted that matters relating to Phase-II of the project pertain to the user agency and are required to be examined and clarified at the appropriate and competent level.
 13. Point 20 is matter of record, needs no reply,
 14. It is respectfully submitted in response to Points 21 to 24 that the financial records referred to by the applicant, showing expenditure during the years 2017-18 to 2019-20, primarily relate to works executed on non-forest/private land undertaken pursuant to the Cabinet decision dated 03.10.2017 by User Agency. Mere reference to bills does not establish that any unauthorized activity was carried out on forest land prior to grant of forest clearance.

It is further submitted that the process for tree felling was initiated strictly in accordance with law and only after grant of requisite approvals, including **Technical Sanction No. CFWPC/Tech/F-17/535-37/FC Dated 18-12-2019** and **Technical Sanction No. CFWPC/Tech/F-17/532-34 Dated 18-12-2019** accorded by the Working Plan Circle, followed by Administrative Approvals by the Chief Conservator of Forests, Kashmir, vide **AA No. CCF(K)/L/19/3881-85 dated 31.12.2019** and **AA No. CCF(K)/L/19/3886-90 Dated 31-12-2019** respectively. Thereafter, the marked trees year 2020, for exploitation strictly under the prescribed rules and procedures. The first release order of felled/converted trees 14 Kail logs (256 cft) coming under the road

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was first of all given vide this office release **No. DFO/LGT/Lease/Release/2020-21/1849-50, Dated 13-10-2020** in reference to Divisional Manager FDC Extraction Division Baramulla's Communication **No.DM/SFS/Bal/155-56 Dated 19-09-2020.**

Accordingly, the allegation of tree extraction in violation of statutory timelines or clearance conditions is emphatically denied.

Furthermore, the user agency/construction agency unauthorizedly felled 05 No. of trees in co. 26a/rajwar during the execution of said work in the year 2021-22, the damage bill was raised and Executive Engineer PWD (R&B) Division Handwara was repeatedly requested vide this office communications resting vide No.'s **DFO/LGT/Estt/FCA/21-22/811-15 Dated 24-11-2021, DFO/LGT/Estt/2022-23/22-24 Dated 09-04-2022, DFO/LGT/Estt/2022-23/220-23 Dated 25-07-2022, DFO/Estt/2022-23/1880-83 Dated 13-09-2022, DFO/LGT/Estt/2024-25/1047-50 Dated 25-06-2024, DFO/LGT/Estt/FCA/2025-26/1588-93 Dated 25-08-2025, DFO/LGT/Acct/2025/557-59 Dated 29-09-2025**, to remit/deposit an amount of Rs 225890/- into Govt Treasury under head 0406/Forest on account of damage to 05 No. Of Fir trees, and which on date stands remitted by the indenting department vide **TR No. 01 Dated 04-12-2025.**

15. It is submitted in reply to points 25-28 that non-deposition of compensatory levies during the given period is entirely attributable to the User Agency. However, the Forest Department did not remain passive in the matter. From the very beginning, the Forest Advisory Committee granted in-principle approval to the project in its 102th meeting on September 6, 2017, the issue of liquidation of compensatory levies was regularly taken up with the User Agency (PWD). In this regard, reference is invited to this office's communications issued from time to time, resting vide No.'s **DFO/LGT/Estt/2017-18/3771-73 Dated 21-11-2017, DFO/LGT/Estt/2017-18/1477-80 Dated 02-12-2017, DFO/LGT/Estt/FCA/2019-20/153-56 Dated 03-06-2019, DFO/LGT/Estt/FCA/2019-20/307-11, Dated 18-07-2019, DFO/LGT/Estt/2024-25/15-19 Dated 30-07-2024, DFO/LGT/Estt/FCA/2024-25/3787-90 Dated 14-03-2025, DFO/LGT/Estt/FCA/2025-26/1588-93 Dated 25-08-2025** whereby the User Agency was repeatedly requested to deposit the requisite compensatory levies in compliance with the conditions of forest clearance. The deposition of compensatory levies materialized vide **TR No. 01/18336 Dated 08-10-2025, TR No. 02/18336 Dated 08-10-2025 and TR No. 03/18336 Dated 08-10-2025.**

The remaining points/objections raised by the petitioner in his reply to the compliance report require response at the appropriate level, as the same either pertain to higher-level policy decisions or relate to matters falling within the domain of other departments, including the User Agency.

Yours faithfully

**Divisional Forest Officer,
Langate Forest Division,
Langate.**

Copy submitted to the Chief Conservator of Forests Kashmir Region Srinagar for favour of information and necessary action, please. This takes reference to his good office communication **No. CCF(K)/LO/2026/24-27 Dated 19-01-2026.**