



Govt. of Jammu & Kashmir

OFFICE OF THE DEPUTY COMMISSIONER BARAMULLA

Email: ngt.dcbra@gmail.com

**The Consultant Judicial,
Hon'ble National Green Tribunal
Principal Bench
New Delhi.**

No. DCB/144-NGT/2025-26/ 1453-54

Dated: 28 /01/2026

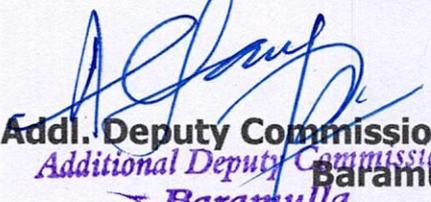
Subject: Compliance report on behalf of District Magistrate, in pursuant to Order Dated 06-12-2024 in OA No. 1344 of 2024 passed by the Hon'ble National Green Tribunal, titled Raja Muzaffar Bhat V/s UT of Jammu and Kashmir.

Sir,

In compliance to the directions of Hon'ble National Green Tribunal, New Delhi vide Order dated 29-10-2025 passed in OA No. 1344 of 2024 titled Raja Muzaffar V/s UT of Jammu & Kashmir and Others, the reply/ objections on behalf of District Magistrate Baramulla, is submitted herewith.

As such, you are requested that the reply/objections may kindly be taken on record before the Hon'ble National Green Tribunal for consideration please.

Yours faithfully,


Addl. Deputy Commissioner
Additional Deputy Commissioner
Baramulla

Copy to the:

1. Sh. Gautam Singh, Advocate Supreme Court of India, Chamber No. 71, Supreme Court Compound, New Delhi- 110001 for information and necessary action.

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

OA No. 1344/2024

IN THE CASE OF: -

RAJA MUZAFFAR BHAT

...APPLICANT

VERSUS

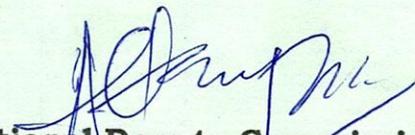
UNION TERRITORY OF JAMMU & KASHMIR & ORS.

...RESPONDENT(S)

IN THE MATTER OF : REPLY OF THE ABOVE TITLED CASE.

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Additional Deputy Commissioner
Additional Deputy Commissioner
Baramulla
Baramulla

On behalf of
Deputy Commissioner
Baramulla

Through Counsel Gautam Singh

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

OA No. 1344/2024

IN THE CASE OF: -
RAJA MUZAFFAR BHAT ...APPLICANT
VERSUS
UNION TERRITORY OF JAMMU & KASHMIR & ORS.
...RESPONDENT(S)

IN THE MATTER OF : REPLY OF THE ABOVE TITLED CASE.

May it please your lordship,

Reply on behalf of answering respondent No. 2 is humbly submitted as under:

Background:

That the Hon'ble National Green Tribunal vide Notice Dated: 01/08/2025 in OA No. 1344/2024 directed as follows:

The above disclosure that excavation work carried out for diversion of stream, cutting of about 300 trees, unauthorized activity etc.

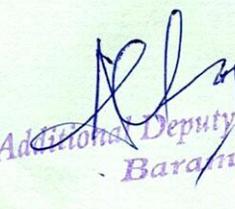
Learned Counsel appearing for the Respondents No. 1, 2, 3 and 6 seeks four weeks' time to obtain instructions and file the reply."

That the Hon'ble National Green Tribunal vide Order Dated: 29/10/2025 in OA No. 1344/2024 directed as follows:

"Learned Counsel appearing for respondents No 1,2,3 and 6 submits that the reply will be positively filed within three weeks. Rejoinder if any, can be filed by the Applicant within two weeks thereafter."

Status Report:

1. It is respectfully submitted that the construction of the playground at Village Sonium was conceived and proposed by the


Additional Deputy Commissioner
Baranulla

Gram Sabha (Village Council) following receipt of multiple representations from the local youth and residents seeking improved community recreational infrastructure. The proposed plan for construction of the play field was thereafter formally approved by the District Programme Coordinator, MGNREGA (Ministry of Rural Development), who holds the delegated authority of the Deputy Commissioner, Baramulla, in accordance with statutory procedures and guidelines governing MGNREGA-funded projects

2. That, with regard to the allegation concerning diversion of Badyari stream for setting up of the playground, it is respectfully submitted that the stream/watercourse has not been diverted on the spot and the water continues to flow in its original natural course; the said factual position stands corroborated by the report of the Jammu & Kashmir Pollution Control Committee.
3. That the allegations of the petitioner to the effect that more than 1000 trees, including 600 willow trees, 300 poplar trees, approximately 100 acacia and rubina trees and 10 walnut trees were illegally felled for the purpose of construction of the playground, are misconceived, exaggerated and denied. It humbly is submitted that only approximately 300 poplar and willow trees of varying diameter were required to be removed for execution of the work at the site. Further, it is submitted that, consistent with the environmental restoration approach recognized in environmental governance, and in line with the framework of compensatory afforestation/eco-restoration measures, the Administration has initiated steps to identify and earmark suitable sites for afforestation/plantation activities so as to restore ecological balance and augment green cover.


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Baramulla

4. That it is denied that any felling/removal was carried out in violation of the Jammu & Kashmir Preservation of Specified Trees Act, 1969. It is submitted that the Act defines "specified tree" to mean walnut and such other species as may be notified by the Government in the Official Gazette; accordingly, poplar is not per se a "specified tree" unless notified. It is further submitted that, as regards willow, the Act contains an express enabling provision for application of the Act to willow trees from the date as may be notified by the Government in the Government Gazette; therefore, applicability to willow would depend upon such notification and the facts on record.
5. That the trees stated to have been removed were standing on Shamilat Deh land (Rule 4 of Jammu & Kashmir Shamilat Rules 1927) land recorded as "Mahfooz Kahcharie", i.e., Government land, and not on protected forest land, and the work was undertaken as a public utility measure for the local community, subject to compliance with applicable legal and environmental safeguards.

Prayer:

In the premises, it is therefore respectfully prayed that the reply/objections may kindly be taken on record before the Hon'ble National Green Tribunal for consideration.


Additional Deputy Commissioner,
Additional Deputy Comm Baramulla
Baramulla

On behalf of
Deputy Commissioner
Baramulla

Through, Sh. Gautam Singh
Advocate