

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
O. A. NO. 347 OF 2016**

**IN THE MATTER OF:
CHANDRA BHAL SINGH ...APPLICANT
VERSUS
UNION OF INDIA
AND ORS. RESPONDENTS**

**ADDITIONAL AFFIDAVIT ON BEHALF OF
RESPONDENT NO. 31, (JAMMU AND
KASHMIRBIO-DIVERSITY BOARD).**

MOST RESPECTFULLY SHOWETH:

I, Asaf Mehmood, son of Sh. Zia-ud-Din, aged about 54 years, posted as Director, Jammu and Kashmir Forest Research Institute, do hereby solemnly affirm and state as under:

1. That in my official capacity as mentioned above, I am well conversant with the facts of the present case as derived from official records and as such competent to depose the instant affidavit.
2. It is most respectfully submitted that the Applicant by way of the application under reply has prayed for, inter alia, the implementation of the provisions of Biological Diversity Act, 2002 ("the Act")



and Biological Diversity Rules, 2004 ("the Rules") by all the Respondent States.

3. It is submitted that Jammu and Kashmir State Biodiversity Board was constituted in 2013 vide SRO-57 dated 19.02.2013 under section 22 of the Jammu and Kashmir Biological Diversity Act and the Jammu and Kashmir Biological Diversity Rules 2015 were framed vide SRO-200 dated 29.06.2015.



4. It is most respectfully submitted that Biodiversity Management Committees (BMCs) were required to be constituted by every local body to promote conservation, sustainable use and documentation of Biological Diversity of the State.

5. It is respectfully submitted that with the coming into effect of the Jammu and Kashmir Re-organization Act, 2019, the Jammu and Kashmir State Biodiversity Board is to be re-constituted as Biodiversity Council in view of Section 22 (2) of Biological Diversity Act, 2002 and NBA office

memorandum No. NBA/ 9/ 42/ 2005-SBB/
UT- Jammu and Kashmir dated 31.12.2019.

6. It is most respectfully submitted that for formation of BMCs, the State Biodiversity Board initiated and expedited the process by holding series of meetings with the Departments of Rural Development and Panchayati Raj, Housing and Urban Development and Forest Department (T). It is submitted that various sensitization meets in different districts namely Rajouri, Kathua, Reasi, Anantnag, Srinagar, Jammu, Bandipora and Budgam were organized. It is submitted that in pursuance of the order passed by this Hon'ble Court, 93% BMCs stand constituted in the Union Territory of Jammu and Kashmir till 31.01.2020 as detailed in the following table:-



BMCs at Panchayat level		BMCs at Block level		BMCs at Urban local level		BMCs at District level (Elections awaited)	
Total No. of Panchayats	BMCs constituted	Total No. BMCs	BMCs constituted	Total No. ULBs	BMCs constituted	Total No. of District Panchayats	BMCs constituted
4290	4290	285	0	78	71	20	0
Grand Total	4361 constituted out of 4673 (93%)						

7. It is most respectfully submitted that election to twenty District Panchayats are yet to be held. The Urban Local Bodies (Municipal Committees) at seven places are yet to be constituted. However, as per Rural Development and Panchayati Raj Department, BMCs in 285 Blocks are likely to be constituted by end of March, 2020.



It is most respectfully submitted that each BMC in the Union Territory of Jammu and Kashmir is being sensitized to collect field data and initiate process of formation of People's Biodiversity Registers (PBRs), as per provisions of 'the Act' and 'the Rules'. The preparation of PBR at Block and Village Level is being pursued with sincere and systematic efforts by all departments concerned and with a robust coordination mechanism. Implementation of other provisions like collection of fee by the BMCs, grants and loans released/given to each BMCs by the Government, sharing of benefits etc. shall be undertaken after the

formation of PBRs to enforce the Biodiversity Act and Rules in letter and spirit.

9. It is respectfully submitted that Jammu and Kashmir Biodiversity Board has reflected the requirement for allocation of funds from both sources i.e. National Biodiversity Authority and Jammu and Kashmir Government. It is submitted that some assistance to organize International Day for Biological Diversity/Administrative charges/ Outsourcing/Furniture/formation of 25 BMCs has been rendered by National Biodiversity Authority.



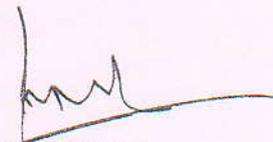
10. It is most respectfully submitted that the answering Respondent is conscious of its obligations under the Biological Diversity Act, 2002 and Biological Diversity Rules, 2004 and is duty bound to take steps to implement the provisions thereof and the orders passed by this Hon'ble Court in letter and spirit.

11. It is respectfully submitted that this Additional Affidavit is being filed for kind perusal of this Hon'ble Court.

12. That the contents of this Affidavit are true to the best of my knowledge as derived from official records and nothing material has been concealed therefrom.

13. That the Annexures/documents filed herewith are true copies of their respective originals.



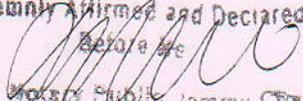

DEPONENT


Simplified by
Tahsil Khud
Dy. Ex
SPT
Jmm

VERIFICATION

Verified at Jammu... on this 7th day of February, 2020 that the contents of the afore-stated affidavit are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.


DEPONENT

Solemnly Affirmed and Declared
Before me

Notary Public, Jammu City

7-2-2020