

120
Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

The Consultant (Judicial)
Hon'ble National Green Tribunal (P.B)
New Delhi.

No. JKPCC/NGT/23/143/ 420-31

Dt. 17-02-2024.

**Sub: -Hon'ble NGT Order Dt. 06-12-2023 in O.A No. 538 of 2023 titled
"Gypsum Jam: Rampant mining troubles Kashmir villagers"
appearing in Village Square dated 20-08-2023.**

Ref.: Hon'ble National Green Tribunal email dated **16-12-2023**.

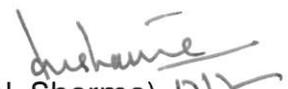
Sir,

In compliance of order of the **Hon'ble National Green Tribunal** dated **06-12-2023** in O.A No. **538 of 2023** titled **"Gypsum Jam: Rampant mining troubles Kashmir villagers" appearing in Village Square dated 20-08-2023**, kindly find enclosed the Compliance Report of J&K Pollution Control Committee.

It is requested that the Compliance Report may kindly be taken on record and place before the Hon'ble NGT for consideration.

Yours faithfully,

Encl: (As above).


(J.N. Sharma) 17/2

Environmental Engineer

Copy to the: -

1. PCCF Wildlife / Chief Wildlife Warden, J&K, Jammu.
2. Sh. G.M. Kawoosa, Additional Standing Counsel for J&K Govt. in Hon'ble NGT matters in New Delhi, for information and necessary action. This is in reference to Govt. of J&K Order No. 8495-JK(LD) of 2022 Dated 12-10-2022.
3. P.S to Financial Commissioner (Additional Chief Secretary) Department of Forest, Ecology and Environment, Civil Secretariat, Jammu / Srinagar for kind information of the Financial Commissioner (ACS).

Before the Hon'ble National Green Tribunal
Principal Bench, New Delhi

Original Application No. 538 of 2023

IN THE MATTER OF

“Gypsum Jam: Rampant mining troubles Kashmir villagers” appearing in Village Square dated 20-08-2023

Reply/ Compliance Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Order dated 06-12-2023 passed in OA No. 538 of 2023 titled “Gypsum Jam: Rampant mining troubles Kashmir villagers” appearing in Village Square dated 20-08-2023.

It is most respectfully submitted:

BACKGROUND

1. That the Hon'ble National Green Tribunal vide **Order Dated 06-12-2023** in **OA No. 538 of 2023** directed as follows:

“We have also been informed that notification declaring the wildlife sanctuary was issued in the year 1987.

The Member Secretary, J&K PCC is directed to place on record a copy of the said notification”.

COMPLIANCE REPORT

2. That in compliance of the directions passed in the above reproduced order, Jammu & Kashmir Pollution Control Committee requested the Chief Wildlife Warden, Department of Wildlife Protection, J&K to provide the copy of the notification declaring Wildlife Sanctuary, and the same was provided vide his communication No. WLP-Tech/2023-24/885 dated 07-02-2024. A copy of the notification is appended as **Annexure 'A'**. Further, a legible typed copy of the said Notification is appended as **Annexure 'B'**.

des
12/2

3. That it is further submitted that the Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(North)/Estt/2023-24/2110-11 dated 22-01-2024 has submitted list of mining units falling within one Kilometre of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and the same has been endorsed to J&K Pollution Control Committee by the Regional Wildlife Warden Kashmir, vide letter No. RWLW/K/Legal/2023-24/278-79 dated 25-01-2024. A copy of the communications above is appended as **Annexure 'C'**.
4. That consequent upon the above, J&K Pollution Control Committee, in exercise of the powers under the pollution control and environment protection enactments has issued directions for closure of the following 14 mining units operating near Lachipora Wildlife Sanctuary:

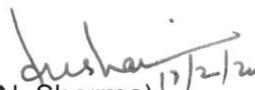
#	Name of unit	Closure Order No. and date
1	Kohinoor Gypsum	229 JKPCC of 2024 dated 01-02-2024
2	New Sigma Industries	230 JKPCC of 2024 dated 01-02-2024
3	GEE EMM Industries	231 JKPCC of 2024 dated 01-02-2024
4.	Tower Chemicals	232 JKPCC of 2024 dated 01-02-2024
5	Baba Chemicals	233 JKPCC of 2024 dated 01-02-2024
6	Jhelum Valley	234 JKPCC of 2024 dated 01-02-2024
7	Syed Mohd Irshad	235 JKPCC of 2024 dated 01-02-2024
8	Syed Mohd Tahir	236 JKPCC of 2024 dated 01-02-2024
9	Raz Chemicals	237 JKPCC of 2024 dated 01-02-2024
10	Snow White Gypsum	238 JKPCC of 2024 dated 01-02-2024
11	Neelam valley Gypsum	239 JKPCC of 2024 dated 01-02-2024
12	Noor Mohammad Trumboo	240 JKPCC of 2024 dated 01-02-2024
13	Khyber Industries	241 JKPCC of 2024 dated 01-02-2024
14	Kashmir Minerals Mills	242 JKPCC of 2024 dated 01-02-2024

Ans 17/2/24

Copies of closure orders are appended as **Annexure 'D'**, for kind perusal of this Hon'ble Tribunal.

Prayer:

In the premises, it is therefore respectfully prayed that the compliance report may kindly be taken on record.


(J.N. Sharma) 17/2/24
Environmental Engineer
J&K PCC

Government of Jammu & Kashmir
Office of the Pr. Chief Conservator of Forests (Wildlife)/
Chief Wildlife Warden, J&K

Chairman,
Pollution Control Committee, J&K.

No: WLP-Tech/2023-24/ 885

Dated:- 07. -02-2024

Subject: Notifications with regard to Lachipora Wildlife Sanctuary and its ESZ.

Sir,

Kindly find enclosed a copy each of the notifications of Lachipora Wildlife Sanctuary and its Eco-Sensitive Zone.

Yours faithfully,


(Sarvesh Rai IFS)

Pr. Chief Conservator of Forests (WL)/
Chief Wildlife Warden, J&K

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECTN FOREST DEPARTMENT
(WILDLIFE PROTECTION)

NOTIFICATION

JAMMU, THE 19/3/1987

SRO 150 :- Whereas, it appears to the Government that the area specified in Annexure "A" to this Notification, has adequate ecological, faunal, floral, geomorphological significance for purposes of protecting, propagating and developing Wildlife of its environment.

Now, therefore, in exercise of the Powers conferred by section 17 of the Jammu and Kashmir Wildlife (protection) Act, 1978, the Government hereby declare the said area as a sanctuary.

By Order of the Government of Jammu and Kashmir.

sd/-
(N. R. Gupta)

Secretary to Government.

Lachyora
NO: 74/W4/San/19/3/87 Dated: 19.3.1987

Copy for information and necessary action: to the:-

1. Secretary to Government, Law Department.
2. Secretary to Government, Revenue Department.
3. Chief Wildlife Warden, Srinagar
4. Deputy Commissioner of the concerned District.
5. Manager Government press for favour of Publication in Government Gazette.
6. Stock File.

(Hamid-Allah) 19/3
Deputy Secretary to Government
Forest Department

Hindari 19/3

STATUS SURVEY REPORT OF PROPOSED LACHIPOFA WILDLIFE SANCTUARY

Uri for the Markhor.

(Cetra Falconeri).Nomenclature:-

Katha Nilnag is a big catchment with eleven villages therein & Lachipora being the big and popular village, as it has been named after the said village.

Situation:- It is situated at about 83 Kms. from Srinagar City to the West. The proposed area occupies the right bank of the river Jhelum. It drains in the said river near the village of Chanawari lying on the opposite bank of the river.

Boundaries:-

North	Kakau Forest of Larget Forest Division.
South	Maidan Forest.
South-east.....	River Jhelum, Baremulla-Uri road & village Chanawari.
West	Pass-Garaja gali and Maidan Forest and Catch-fire line.
East.....	Degi pahar peak, Bagna and timber forests.

Area:-

The total area of the proposed Wildlife Sanctuary is about 80 Sq. Kms. and includes the whole water catchment zone of the said hills. It is represented on the C. T. Sheet No: 43J/3 & 43/4

Climate:-

All the four seasons are well marked. The low-lying western area of the Jhelum valley experiences the same intensity of heat as that of the Punjab plains in the months of July, August and part of September, where as the high elevated areas above 3,300 m. (11,000 Ft.) have an alpine temperature and the climate varies from place to place between these two extremes. Thus the altitudinal variations bear a great influence on the climatic conditions from place to place in the division.

From Buniyar downwards to Uri the precipitation occurs more or less in the shape of monsoon rains.

Configuration:-

The topography is conspicuously sloopy mountainous and broken by the big rocky cliffs. The fields are thrown into number of inaccessible undulations enclosing narrow gulleys (Nars) along the Upper reaches.

Approach:- The area is very easily accessible, being well connected to Baremulla-Uri National Highway at Chanawari by a foot bridge in south east.

Moreover, a metalled road has been proposed to be constructed upto Lachipora village and will be connected with the main road (Baremulla-Uri) road via bridge near Gimgal.

... 2 ...

Rights:-

Eleven villages fall in the catchment zone of the proposed area. The inhabitants have their fields and orchards in the catchment of the nalla. Moreover, they indulge in the collection of fire weed, Padder (grass and twigs of the horse chestnut trees). The locals enjoy the concession of taking their live stock to the proposed area for grazing, besides this the bakewals from Rajouri and Poonch do take their live stock to the upper reaches (i.e. Demarcation Game Reserve) of the area for grazing.

The population of 6,905 and the permanent live stock of 5,167 present in the entire catchment of the proposed area as per the census figures of 1980-81 of the Revenue Department has been estimated.

Vegetations:-

Gen. Vegetation:- The area exhibits varied floral types manifested by habitat, form and density of dominant species and controlled by a number of factors including habitat conditions exposure, altitude and above all the biotic interference. About sixty percent of the forest area constitutes of Isodon spp cover and the rest of the woody vegetation comprises about 90% of the coniferous species like Deodar (Deodrus deodara), Kail (Pinus griffithii), Fir (Abies pindrow) with sprinkling of spruce (Picea smithiana) and Yew (Taxus wallichiana).

The vegetational complex could be resolved into a number of distinct types.

1. Blue Pine Zones:-

(1,600 to 2,500 Mts.) It is formed of a pure cover of kail stands (Pinus griffithii) and is usually mixed at a few places e.g. at the mouth of Malangan nalla with scattered stands of Deodar (Deodrus deodara) and at higher reaches with the individuals of Fir (Abies pindrow) and spruce (Picea smithiana).

The main broad-leaved associates are Acer spp, Asculus indica, Juglans regia, Fraxinus spp etc.

The under growth consists of Indigofera heterantha, Viburnum spp, and sprinkling of Isodon spp, Rosa spp, and Lonicera spp. The herbaceous ground cover is very rich and consists mainly of Scagaria vesicaria, Sambucus spp, Polygonum spp, Rumex spp, Pteridium spp, Alliantum spp, etc.

It dominates the greeves, sheltered pockets and easier steeped southern slopes.

2. Deodar Zones:-

The deodar forms almost a pure crop in the camp 9 of the catchment. It is mixed with the isolated individuals of the kail stands. The ~~xxxxxx~~ under story is mainly composed of Viburnum spp, Isodon spp, Crataegus spp, Rubus spp, and ~~xxxxxx~~ of deodar.

3. Silver Fir forests:-

This zone is chiefly composed of the Himalyan Silver Fir (Abies pindrow) and spruce and kail fairly mix with Fir at higher reaches. The main broad-leaved associates are Juglans regia, Acer spp, Asculus indica at low altitudes and Betula utilis at higher altitudes.

... 3 ...

The under growth includes Skimmia laevifolia, Viburnum spp. and sparsely Rosa webbiana.

The Biotope is vertically distributed along the steep and dry slopes upto 11,000 feet.

4. Birch & Yew:-

Forest community dominated by Betula utilis stands up at some places generally at low altitudes isolated stands of Acer spp. Alnus pinifolia do mix with it. Sparse shrub cover comes into competition with it includes patches of Juniperus spp., Lonicera spp., Rhododendron spp., and Viburnum spp. This cover is distributed in gulleys (nars).

5. Hare's Chest Nut Zone:-

This cover abounds chiefly Aesculus indica mixed with the scattered individuals of Juglans regia and Acer spp. It is richly supported by scrubby layer of Sorbaria tomentosa, Viburnum spp., Rosa webbiana and Aesculus indica. It shelters a rich herbaceous cover of Adiantum spp., Rumex patientia.

This biotope occupies the gentle shady slopes and gulleys.

6. Isodon Scrub:-

The pure crop of Isodon spp. is distributed along the exposed and low lying ridges. It is mixed at places with the scattered stands of Kail trees. Its other associates are Viburnum (along the shady drains), Saiea spp., Rubus spp., and Centonaster spp. The ground cover mainly constitutes of Arenaria spp., Dryopteris spp. etc.

7. Savana scrub:-

A pure tall un-identified coarse grass cover mixed with isolated individuals of kail trees (Pinus griffithii). It is luxuriantly accompanied with under story e.g. Indigofera, heterantha and sparse cover of Rosa webbiana and Rubus spp.

This association is virtually restricted in the forest clearings and exposed slopes.

8. Alpine pastures:-

This zone appears from the uppermost limit of the fir zone in the form of vast pasture lands viz "margs". The vegetation comprises stunted trees of birch (Betula utilis), Juniperus spp., patches and individuals of Rhododendron spp.

The ground flora includes chrysanthemum leucanthemum, Inula spp., Caltha palustris, Prunella spp., Potentilla spp., Corydalis spp., Gentiana spp., Anemone spp., Mysotis spp., Polygonum spp. etc.

<u>No.</u>	<u>Animals</u>	<u>Population</u>
<u>S. No.</u>	<u>Name of the animal.</u>	
1.	<u>Prionivitis entellus (Duf. r. sp.)</u> Himalayan Langoor,	Common,
2.	<u>Macaca Mulata</u> <u>Rhesus Macaque,</u>	-do-
3.	<u>Selemartes thibetanus</u> Himalayan Black Bear,	Occasional,
4.	<u>Urus arctos Linnaeus</u> Himalayan Brown Bear,	Rare,
5.	<u>Panthera erius (Linnaeus)</u> Leopard or Panther,	-do-
6.	<u>Felis bengalensis Ker</u> Leopard Cat,	-do-
7.	<u>Vulpus vulpus (Linnaeus)</u> Red Fox,	Occasional,
8.	<u>Martes flavigula (Beddard)</u> Himalayan Yellow-throated Martin,	-do-
9.	<u>Ochetops reylei (Gillay)</u> Himalayan Mouse Hare,	-do-
	<u>Expetaurus sipacrus Thoms.</u>	
10.	Kashmir Flying Squirrel,	Common,
11.	Red,	Occasional,
12.	<u>ore fa</u> <u>ari</u> arkher,	Common,
13.	<u>Moschi (Schiffner) Linnaeus)</u> Himalayan Musk I "	Rare,

B. Avi-fauna - The birds of this prepared are are:-
 Black eared Kite (Milvus Migrans), Black Eagle (Aquila verreauxi),
 Bearded Eagle, Himalayan Griffon Vulture (Gyps Himalayensis),
 Egyptian Vulture, Kestrel (Falco tinnunculus), Shikara
 (A-Star falcon), Monal pheasant (Lophophanes impejanus),
 Chakur (Alcedo chakur) Koklass (Pucrasia macrolopha),
 Scaly-billed green wood pecker (Picus squamatus squamatus Gould),
 Kashmir Bird wood pecker (Dryobates Himalayensis), Indian Mya
 (Am. b. tristis), Himalayan Jungle Crow (Corvus macrorhynchos)
 Blue Jay (Cyanus pallasii), Western Yellow billed blue Magpie (Urocissa-
fl. castris), Large spotted Nutcracker (Nucifraga multipunctata)
 White checked Bulbul (Pychnonotus leucogenys) Western spotted
 Turk-tail (Phicurus maculatus), Himalayan Whistling Thrush
 (Myiophonus emmickii), White-capped Red-Start (Chinnamora -
leucocephala), Streaked Laughing Thrush (Troglodytes leucostriatus)
 Kashmir Wren (Troglodytes troglodytes), Indian Brown Dipper
 (Uropsalis pallasii), Grey Tit (Parus major), Crested Black Tit
 (Parus melanocephalus), Hodgson's Tree-creeper (Certhia-
himaliensis), Kashmir Sky lark (Alauda gulqula), Kashmir House
 sparrow (Passer domesticus), Black and yellow Green-beak
 (Perisoreus icteroides), Orange Bulfinch (Pyrrhula aurantiaca),
 Eastern Meadow Lark (Luscinia stracheyi) Pine Bunting
 (Luscinia leucocephala) etc.

Site to Developable Site Permit-

The proposed area offers a food promise as a rich potential with its honey bees. It offers a vast area richly endowed with abundant food in the form of Isodon cover (A. and B. species of the forest area), Pinus crop (A. and B. species), A. species (Dominant under story) and the oak (A. and B. species), thus the dominance of these honey bee food complexes ensure the better food and shelter for the bees. Moreover, the Viburnum species also bloom in autumn also.

It is noted that there are only 20 to 25 Beehives in the whole area, yet more than 2000 Kgs of honey was produced in the year 1980-81, which includes honey produced by the local people.

Noting in view the vast habitat and favourable natural conditions, it is recommended that the site should be developed as a honey bee sanctuary.

Local Control

As per the provisions of the Forest Act, 1927, the local people of the area should be given the right to manage the forest land. The local people should be given the right to manage the forest land. The local people should be given the right to manage the forest land. The local people should be given the right to manage the forest land.

A detailed map showing the location of the site is attached herewith. The map shows the location of the site in the district of Jammu and Kashmir. The map shows the location of the site in the district of Jammu and Kashmir. The map shows the location of the site in the district of Jammu and Kashmir.

Conclusion

The proposed area is rich in natural resources and offers a vast potential for the development of a honey bee sanctuary. The area is rich in natural resources and offers a vast potential for the development of a honey bee sanctuary. The area is rich in natural resources and offers a vast potential for the development of a honey bee sanctuary. The area is rich in natural resources and offers a vast potential for the development of a honey bee sanctuary.

Recommendations:-

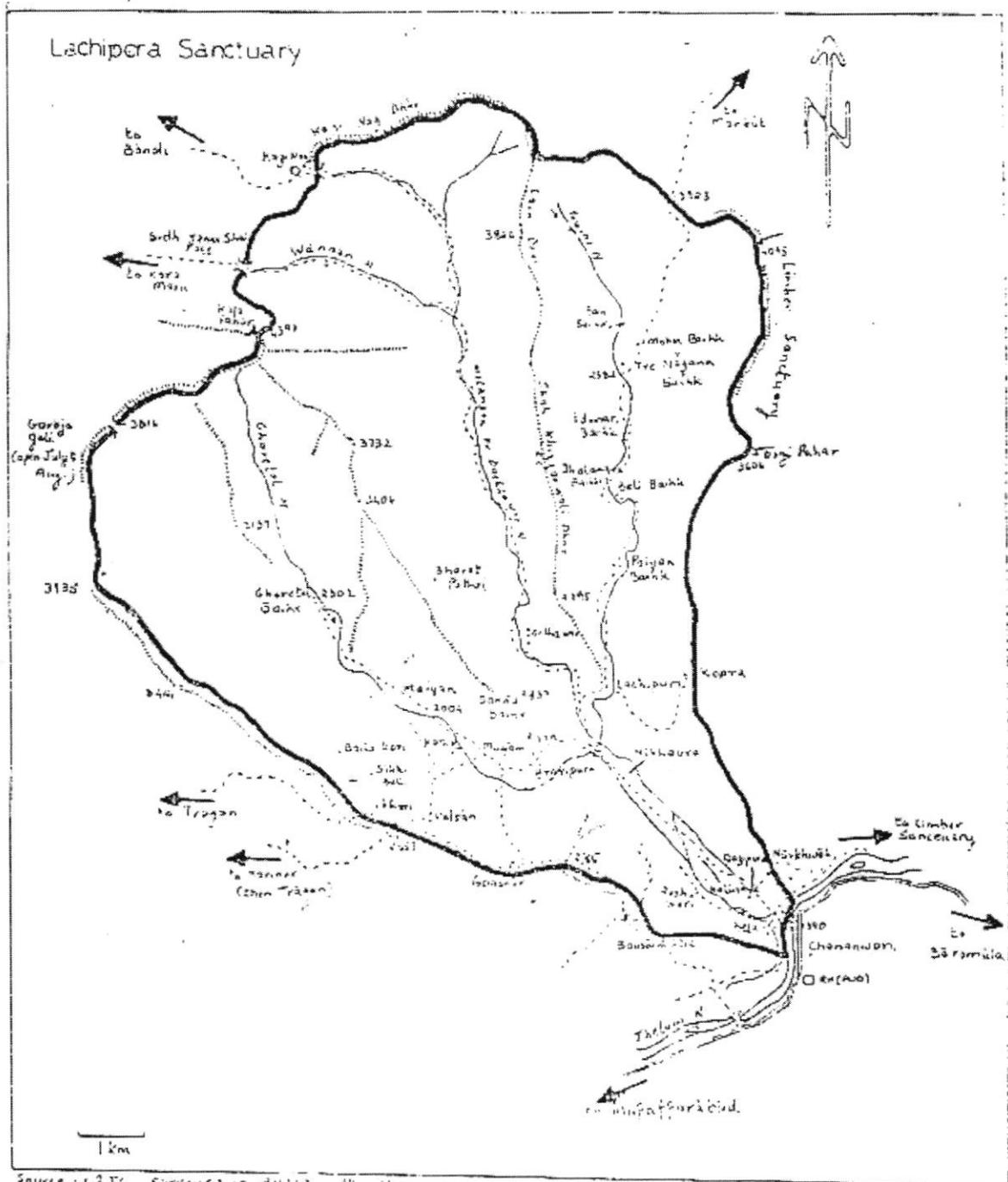
The area is harbouring the rare and threatened animals like Markhor, Musk Deer and Leopard and Pheasants, like Monal, Koklass, Chakore, and reportedly Ram Chakore and Tragopans. Markhor the majestic wild goat is distributed in a few corners of Uri and Shopian areas in Kashmir valley. The number of the Markhor and colorful pheasants is drastically going down, moreover, these pheasants are dwindling in number in the Himalaya belt. Many measure have been taken by the World Pheasant Association to protect the Himalayan Pheasants.

So the precious potential of the rare and endangered animals and Pheasants it has added considerably to the importance of development of the area into a sanctuary to cater the long term interest of the Wild animals and birds. Otherwise are threatened by the indiscriminate grazing and destruction, heavy incidences of illicit poaching, and the security of food and shelter.

Keeping the above facts and figures into consideration the proposed area is recommended to be notified as wildlife Sanctuary under Section 17 of Jammu and Kashmir Wildlife (Protection) Act of 1978.

Map:-

A detailed map of the catchment is enclosed for ready reference.



Source: 437/4, Surveyed in 1911-12 (Topo Sheet) Latitude: 16° 14' 15" to 16° 15' 24" N
 437/5, Surveyed in 1962 - 2nd edition (Topo Sheet) Longitude: 75° 54' 00" to 76° 37' 00" E.
 437/6.

Map Made by 1

Survey of National Parks and Sanctuaries
 Indian Institute of Public Administration
 New Delhi Dec., 1968

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECTT. FOREST DEPARTMENT
(WILDLIFE PROTECTION)

NOTIFICATION
Jammu ,1987

SRO 150:- whereas, it appears to the Govt. that the areas specified in Annexure "A " to this notification, has adequate ecological , faunal, floral , geomorphological significance for purposes of protecting ,propagating and developing wildlife for its environment .

Now therefore, in exercise of the powers conferred by Section 17 of the Jammu & Kashmir Wildlife (Protection) Act, 1978, the Government hereby declare the said area as Sanctuary,

By order of the Govt. of Jammu & Kashmir.

Sd:-
N.R Gupta
Secretary to Government

No:- 784 /WL/San/Lachipora /87

Dated :- 19.03.1987.

Copy for information and necessary action to the :-

1. Secretary to Government, Law Department.
2. Secretary to Government, Revenue Department.
3. Chief Wildlife Warden, Jammu & Kashmir Govt.
4. Deputy Commissioner of the concerned District.
5. Manger Government press for favour of publication in Govt. Gazette.
6. Stock File.

Sd/-
(Hamid-ullah
**Deputy Secretary to Govt.
Forest Department.**

**STATUS SURVEY REPORT OF PROPOSED LACHIPORA WILDLIFE SANCTUARY
URI for the Markhor.**

(Capra Falconeri)

Nomenclature:-

Katha Nilnag is a big catchment with eleven villages there in and Lachipora being the big and popular village, as it had been named after the said village.

Situation: - It is situated at about 83 Kms from Srinagar district to the west. The proposed area occupies the right bank of the river Jhelum. It drains in the said river near the village of Chanawari lying on the opposite bank of the river.

Boundaries:-

North -----Kakau Forest of Langate Forest Division.
 South----- Maidan Forest.
 South East-----River Jhelum, Baramulla -Uri road and village
 Chanawari.
 West-----Pass-Garaja gali and Maidan forest and Cease-fire line
 East-----Dogi Pathar peak, Bagna and Limber Forests.

Area:-

The total area of the proposed Wildlife Sanctuary is about 80 Sq.Kms and includes the whole water catchment Zone of the said nalla. It is represented on the G.T sheet No:- 43 J/3 & 43/--

Climate:-

All the four seasons are well marked. The low-lying Western area of the Jhelum valley experiences the same intensity of heat as that of the Punjab plains in the month of July, August and part of September, whereas the high elevated areas above 3,300 m (11,000 Ft) have an alpine temperature and the climate varies from place to place between these two extremes. Thus the altitude variation bears a great influence on the climate conditions from place to place in the division.

From Boniyar downward to Uri the precipitation occurs more or less in the shape of monsoon rains.

Configuration:-

The topography is conspicuously slopy mountains and broken by the big rocky cliffs. The fields are thrown into number of inaccessible indentations enclosing narrow gullies (Nallah) along the upper reaches.

Approach:

The area is very easily accessible being well connected to Baramulla- Uri National highway at Chananwari by a foot bridge in south east.

Moreover, a matal road has been proposed to be constructed upto Lachipora village and will be connected with the main road (Baramulla-Uri) road near Gingle

Rights:-

Eleven villages fall in the catchment Zone of the proposed area. The inhabitants have their fields and orchards in the catchment of the nalla. Moreover, they indulge in the collection of fire wood, fodder (grass and twigs of the horse chestnut trees) .The locals enjoy the concession of taking their live stock to the proposed area for grazing , besides this the bakerwals from Rajouri and Poonch do take their live stock to the upper reaches (i.e Demarcation Game Reserve)of the area for grazing.

The population of 6,905 and the permanent live stock of 5,167 present in the entire catchment of the proposed area as per the census figures of 1980-81 of the Revenue Department has been estimated.

Vegetations:-

Gen. vegetation:- The area exhibits varied floral types manifested by habitat for and density of dominant species and controlled by a number of factors including habitat conditions exposure ,altitude and above all the biotic interference . About Sixty percent of the forest area constitutes of *Isodon* Spp. and the rest of the woody vegetation comprises about 90% of the Coniferous species like Deodar (*Cedrus deodara* Kail (*Pinus griffithii* Fir, (*Albies Pindrow* with sprinkling of spores (*picia simithana*) and yor (*Tanus Wallichina*)

The vegetation complex could be resolved into a number of distinct types.

1. Blu pine Zone :-

(1630 to 2530 ft) it is formed of a pure cover of kail standa (*Pineus griffithii*) and is usually mixed at few places eg. At the mouth of Malangan Nallah with scattered stand of Deodar (*Cedrus deodara*) and at higher reaches with individuals of Fir (*Albies Pindrow*) and spruce (*picia simithana*).

The main broad -leaved associates are *Acer* Spp. *Aescules Indica*, *Juglans regia* and *Bethla utilis*, etc.

The undergrowth consists of *Indigofera heteranta* and sprinkling of *Isodon* Spp, *Posa* Spp. And *lenicera* Spp. The Herbaceous ground cover is very rich and consists mainly of *Araguaia viscon* *Sambucus* Spp., *polygenium* Spp, *Rubenix*, *Pterian* Spp., *Alintum* Spp. etc.

It dominates the groves sheltered pockets and easier steeped southern slopes.

2. Deodar Zone :-

The Deodar forms almost pure crop in the compartment 09 of the catchment. It is mixed with the isolated individuals of the Kail stands. The under story is mainly composed of *vainrnum spp* , *Isodon* Spp , *crataegus* spp , *Ribous* Spp and concentrating of Deodar.

3. Silvre Fir Forest:-

This zone is chiefly composed of Himalayan Silver Fir (*Abies Pindrow*) and spruce and Kail fairly mixed with fir at higher reaches. The main broad leaved associates are *Juglana* spp, *Acutulic indica* at low altitudes and *Batulus Utilis* at higher reaches

The under growth includes *Sklimis Leuroole*, *Vihurnum* Spp. *Sparsely Pasa abiliana*

The biotype is vertically disturbed along the steep and dry slopes at upto 1100 ft

4. Birds:

Forest community dominated by *Fetula utilis* stands at some places generally at low altitudes isolated stands of *acer* spp, *abis pandrow* do mix it. *Sparis surb* cover into composition with it includes patches of juniperous species, *Lunica* spp etc. This cover is distributed in gullies.

5. Horse Chest Nut Zone:

This cover abounds chiefly *Aesrulus Indica* mixed with the scattered individuals of *Juglana* spp and *Acer* spp. It is richly supported by scrubby lawyer of *Surbaya tomentos* and *Aeculus Indica*. It shattered a rich herbaceous cover of *alintum* spp, *romex patienta*.

This biotopic occupies the gentle shady slopes and gullies.

6. Isodon Scrub:

The pure crop of *Isodon* spp is distributed along the exposed and low line ridges. It is mixed at places with the scattered stands of Kail trees. Its other associates are *viburnum* along the shady drain), *Soires* spp, *Ribus* spp, and *Cantunector* spp, The ground cover mainly constitutes of *Arenisia* spp, *Dryopteris* spp, etc.

7. Savana Scrub:

A pure tall identified coarse grass cover mixed with isolated individuals of Kail trees, (*pinus griffithinis*). It is luxuriantly accompanied with under story etc. eg. *Indigofora* and sparse cover of *posa webbniam* and *ribus* spp,.

This association is virtually restricted in the forests clearing and exposed slopes.

8. Alpine Pasture:

This zone appeared from the upper most limits of the fir zone in the form of vast pasture lands viz "margs" The vegetation comprises stunted trees birch (*Batula utilis*) *Juniperous* spp, *Paches* and individuals of *Rhododendron* spp

The ground flora includes *chrysanthemum leucanthemum*, *Indula* spp, *Caltha palontris*, *Prinula* spp, *Potertilla* spp, *Carydills* spp, *Anemouns* spp, *Mysotis* spp, *Polygenum* spp etc.

<u>Name</u> <u>S.No</u>	<u>Animal</u> <u>Name of the Animals</u>	<u>Population</u>
1.	<i>Presbytis entellus</i> Himalayan Langoor	Common
2.	<i>Macaca mulatta</i> Rhesus Macaque	-do-
3.	<i>Selenoretos thibetanus</i> Himalayan Black Bear	Occasional
4.	<i>Ursus arctos</i> Himalayan Brown Bear	Rare
5.	<i>Panthera pardus</i> Leopard Or Panther	-do-
6.	<i>Felis bongalonsis</i> Leopard cat	-do-
7.	<i>Vulpes vulpes</i> Red Fox	Occasional
8.	<i>Martes flavigula</i> Himalayan Yellow Throated Martin	-do-
9.	<i>Ochotus rayei (Ogilley)</i>	
10.	Himalayan Mouse hare	-do-
11.	<i>Eoglaucomys fimbriatus</i> Kashmir Flying Squirrel	Common
12.	<i>Capra falconeri</i> Markhor	Common
13.	<i>Moschus crysogater</i> Himalayan Musk Deer	rarte

Avi Fauna:

The birds of this proposed area are: Black heared or Large Indian Kite (*Milvus migrants linetus*) Balck eagle (*Aquila verreausi*), Himalayan Griffon *Gypsy Himalayensis*, Egyptian Vulture, Kestrel *Falco tinnunculus*, Shikara, Monal Pheasant *Lophophorus impejanus*, Chakur *Alectoris chakur*. Koklas *Catreus wallichii*, Grey Heron *Ardea cinera Ardea cinera*, wood packer (*Picus squuntas squantas gould*), Kashmir bird wood packer (*Dryoybated Himalayanis*) etc.,

Recommendations:

The area is harbouring the rare and threatened animals like Markhor, Musk Deer and leopard and Pheasants like Monal, Koklas, Chakur and reportedly rare Chakur. Markhor the majestic wild goat is distributed in a few corners of Uri and Shopian areas in Kashmir valley. The Markhor and colorful pheasants are distributed along down cover, these pheasants are distributed in number in the Himalayan belt. Many measures have been taken by the bird pheasant association to protect the Himalayan pheasants.

So the precious potential of the rare and endangered animals and pheasants it has added considerably to the importance of development of the area into a sanctuary. In long term interest of Wild animals and pheasants otherwise threatened by the indiscriminate--- ,construction ,heavy incidents of illicit poaching ,threatening their security of food and shelter.

Keeping the above facts and taken into consideration the proposed area is recommended to be notified as Wildlife Sanctuary under section 17 of Jammu and Kashmir Wildlife (Protection) Act of 1978.

Map:

A detailed map of the catchment is enclosed for ready reference.

Government of Jammu and Kashmir

Department of Wildlife Protection

office of the Regional Wildlife Warden Kashmir Region

Address: Near Ghat No.21, Dal Lake Boulevard Road, Srinagar - 190001

Phone/Fax No:0194-2955801 Email:rwlwkashmir@gmail.com www.jkwildlife.com



Member Secretary,
Pollution Control Committee,
Jammu & Kashmir.

No. RWLW/K/Legal/2023-24/ 278-79

Dated:- 25-01-2024

Subject: Carrying out of Mining activities falling within prohibited zone / 01 Km from Lachipora Wildlife Sanctuary.

Sir,

Kindly find enclosed herewith a copy of demarcation details, regarding the aforementioned subject. This is for your necessary perusal with respect to O A No.538/2023 titled "Gypsum Jam: Rampant Mining troubles Kashmir Villages" appearing in Village Square dated:20-08-2023, please.

Yours faithfully

Regional Wildlife Warden
Kashmir region

Copy to the:

1. Pr. Chief Conservator of Forests (WL) / Chief Wildlife Warden, J&K for information please.

Government of Jammu and Kashmir

Department of Wildlife Protection

office of the Regional Wildlife Warden Kashmir Region

Address: Near Ghat No.21, Dal Lake Boulevard Road, Srinagar - 190001

☎ Phone/Fax No:0194-2955801 ✉ Email:rwlwkashmir@gmail.com 🌐 www.jkwildlife.com



**Deputy Commissioner
Baramulla**

No. RWLW/K/Legal/2023-24/ 273-75

Dated:- 24-01-2024

Subject: Carrying out of Mining activities falling within prohibited zone / 01 Km from Lachipora Wildlife Sanctuary.

Sir,

Kindly refer to Wildlife Warden North Division communication No: WLW(N)/Esstt/2023-24/2110-11 Dated: 22-01-2024 (copy enclosed along with report) regarding the aforementioned subject. The required action taken in the matter may be intimated to this office, please.

Yours faithfully

Regional Wildlife Warden
Kashmir region

Copy to the:

1. Pr. Chief Conservator of Forests (WL) / Chief Wildlife Warden, J&K. This is in continuation to this office endorsement No. RWLW/K/Legal/2023-24/272 Dated 24.01.2024.
2. Wildlife Warden North for information & necessary follow up.

[Handwritten signature]
24/01



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

Fax: 01954221682 Email: wlnorth786@gmail.com

The Deputy Commissioner
Baramulla.

No: - WLW (N)/Esstt/2023-24/2110-11 Dated: - 22 -01-2024

Subject:- Carrying out of Mining activities falling within prohibited zone/1 Km from Lachipora WLS.

Reference: Your office letter No:DCE/B/SQ/6649-57, Dated:-19.01.2024

Sir,

Regarding the subject, the Hon'ble High Court of Jammu and Kashmir & Ladakh in the matter Tower Chemicals WP(C) No.2649, CM No.6675/2022 order dated 09.02.2023 has directed that demarcation of Lachipora be conducted. In compliance the process of demarcation of Lachipora Wildlife Sanctuary has been completed jointly by the Forest Demarcation Division, Wildlife Division North and Revenue authorities. May kindly find enclosed copy of the demarcation as Annexure-I & II. Besides concerned revenue authorities have also submitted the report pertaining to revenue land which is also enclosed as Annexure-III. The demarcation data so generated has been processed digitally and accordingly maps generated the same are enclosed as Annexure-IV.

Now, therefore, in view of the above exercise the status of each of the mining unit operating near the Lachipora Wildlife Sanctuary has been ascertained with respect to the distance from the boundaries of Lachipora WLS and is summarized as below

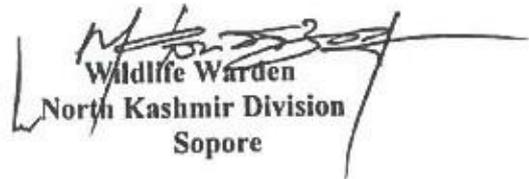
S. No	Name of the Mining Unit	Geo-Coordinates of Protected Area	Geo-Coordinates of Mining Unit	Distance from the Protected Areas	Distance from Eco-sensitive Zone boundary	Remarks
1	Raz Chemicals	34° 9'30.25" N 74° 06'14.13"E	34° 9'30.95" N 74° 6'10.66"E	96 Meters	0 KM	Within 1 KM
2	Snow White Gypsum	34° 9'39.59" N 74° 06'06.66"E	34° 9'38.47" N 74° 6'1.75"E	130 Meters	0 KM	Within 1 KM
3	Pir Panjal Industries	34° 9'27.06" N 74° 06'12.82"E	34° 9'25.61" N 74° 6'23.92"E	0 Meters	0 KM	Within 1 KM
4	Khyber Industries	34° 9'18.53" N 74° 05'35.63"E	34° 9'14.61" N 74° 5'33.62"E	0 Meters	0 KM	Within 1 KM
5	Noor Mohammad Trumboo	34° 9'37.65" N 74° 02'38.77"E	34° 9'20.17" N 74° 2'34.60"E	519 Meters	0 KM	Within 1 KM
6	GEE EMM Industries	34° 9'31.13" N 74° 07'07.25"E	34° 9'31.43" N 74° 7'7.18"E	0 Meters	0 KM	Within 1 KM
7	New Sigma Industries	34° 9'34.70" N 74° 07'04.33"E	34° 9'35.13" N 74° 7'1.43"E	0 Meters	0 KM	Within 1 KM

8	Tower Chemicals	34° 9'38.14" N 74° 06'59.64"E	34° 9'38.31" N 74° 6'59.89"E	12 Meters	0 KM	Within 1 KM
9	Kohinoor Gypsum	34° 9'42.94" N 74° 06'52.96"E	34° 9'46.45" N 74° 6'55.25"E	130 Meters	0 KM	Within 1 KM
10	Baba Chemicals	34° 9'18.92" N 74° 07'21.77"E	34° 9'31.09" N 74° 7'45.69"E	756 Meters	0 KM	Within 1 KM
11	Syed Mohammad Tahir	34° 9'12.99" N 74° 04'49.77"E	34° 9'2.76" N 74° 4'59.95"E	366 Meters	0 KM	Within 1 KM
12	Syed Mohammad Irshad	34° 9'10.85" N 74° 04'44.94"E	34° 9'5.81" N 74° 4'47.36"E	170 Meters	0 KM	Within 1 KM
13	JHEELUM VALLEY	34° 9'13.02" N 74° 04'58.15"E	34° 9'2.76" N 74° 4'59.95"E	327 Meters	0 KM	Within 1 KM
14	Kashmir Mineral Mills	34° 9'03.72" N 74° 05'22.64"E	34° 8'50.11" N 74° 5'21.31"E	302 Meters	0 KM	Within 1 KM

The status clearly shows that all the above 14 mines are falling within prohibited zone i.e 1 Km of Lachipora Wildlife Sanctuary set by the Hon'ble Supreme Court of India.

Now in compliance to the Hon'ble High Court Orders dated: 09-02-2023 i.e "Para:10 "It is made clear that in case after said demarcation the mines of the petitioners are found to be situated within the prohibited zone/s, the respondents shall forthwith stop the petitioners from carrying out the said mining activities". It is requested that kindly take necessary action in the matter please.

Yours faithfully


Wildlife Warden
North Kashmir Division
Sopore

Copy submitted for information to:

1. The PCCF(Wildlife)/Chief Wildlife Warden, J & K Government Jammu
2. The Regional Wildlife Warden Kashmir Region Srinagar



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

Fax: 01954221682 Email: wlwnorth786@gmail.com

**The Regional Wildlife Warden
 Kashmir Region
 Srinagar.**

**No:-WLW (N)/Estt/2023-24/ 2103
 Dated: - 20-01-2024**

Subject: Gypsum Mining Units operating near Lachipora WLS and the Meeting thereof.

Sir,

Regarding the subject cited above, as per the directions of the Hon'ble High Court Srinagar, the Demarcation Division has concluded the Demarcation of the Lachipora Wildlife Sanctuary. The demarcation reports are enclosed for your kind perusal. **Annexure A & Annexure B.**

The brief history of the court case is summarized as below:-

That, M/S Tower Chemicals and Others (Petitioners) has set up a case under petition No: WP(C) 2649/2022 CMP 6675/2022 before the Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar against 18 No f Respondents, among others Petitioner No's 1,2,3,4,5,8,11,12 and 13 pertains to the Forest and Wildlife Department.

That, the petitioners in the instant case believe that they are allottees of gypsum mines allotted to them by the Geology and Mining Department for extraction of gypsum mineral and in the process of that respondent No 09 (District Mineral Officer Baramulla) issued a communication dated 17.11.2022 asking mining lessees including the petitioners came to be directed to stop mining activities on ground as the area of their operation falls within the Eco-Sensitive Zone and mining in such an area have been banned by the Hon'ble Supreme Court of India in the Case of T.N.Godaverman Thirumulapad v/s union of India and others vide Dated 03.06..2022.

That, the petitioners have stated before the Hon'ble Court that the respondent No. 9 (District Mineral Officer Baramulla) has issued the closure order arbitrarily without first ascertaining the location of the area wherein the mines in question are being operated by the petitioners.

That, the petitioners have invited the attention of the Hon'ble High Court towards the report of the committee dated 13.09.2022 constituted for the purpose by the Deputy Commissioner Baramulla, wherein the committee could not find any boundary pillars or fencing in the area suggesting that the mines the mines in

question to be falling within Eco-Sensitive Zones as such Committee has decided to go for Geo-coordinates and maps notified for the said area.

That, the petitioner through his counsel further submits that respondent No:9 (District Mineral Officer Baramulla) as a member of the committee constituted by the Deputy Commissioner Baramulla has made an independent opinion regarding the demarcation therefore, had proposed demarcation on the ground.

That, while deliberating the case Hon'ble High Court at Srinagar issued various orders the operative part of these is reproduced sequentially as under:

Order Dated 25.11.2022:

" Having regard to the sensitive nature of the controversy involved in the petition being related to the Environment, as also the judgement passed by the apex court, supra, it is deemed appropriate in the first instance to defer the consideration of the application for interim relief and instead direct the respondents 5,7,8,9,11,17 and 18 to undertake the effective demarcation on the ground in the area in question urgently without any delay preferably within a period of two weeks, and make a report thereafter to this court within one week".

That, pursuant to the above order and in order to comply the directions of the Hon'ble High Court your good self as petitioner No:11 chaired a meeting of the following officers(respondents) and discussed the matter in detail.

- a) Assistant Commissioner (Revenue) Baramulla,
- b) Wildlife Warden North Division,
- c) Divisional Forest Officer Demarcation Division,
- d) District Officer, Geology and Mining Department,
- e) District Litigation Officer, Baramulla,
- f) District Officer, Pollution Control Committee Baramulla,
- g) Tehsildar, Boniyar,
- h) I/C ICT Lab, PI Division, Forest Department,

That, minutes issued and circulated vide your office Endtt.No: RWLW/K/Estt/2022-23/2138-50 Dated 19-12-2022 besides deliberating upon action plan to be adopted to comply the Hon'ble High Court Orders has also put some facts into the perspective as for as Demarcation of Lachipora & Limber Wildlife Sanctuaries and Kazinag National Park is concerned. Having regard to the order of the Hon'ble High Court, the contentions of the petitioners that there is no demarcated boundary from which the distance of the mines of the petitioners can be measured was made clear in view of the following documents on record:

- a) Government of India S.O.1330 (E) dated 25.03.2022 (ESZ Notification).
- b) J&K Government SRO 425 dated 18th December, 2007 (Notification Kazinag NP).
- c) J&K Government SRO 157 dated 19th March, 1987(Notification Limber Wildlife Sanctuary).
- d) J&K Government SRO 150 dated 19th March, 1987 (Notification Lachipora WL Sanctuary).

Whereas, following relevant orders of the Hon'ble Supreme Court and circular of the ministry of Environment Forests, Climate change were also put on record during the meeting:

- a) Order Dated 03.06.2022 in IA No.1000 of 2003 and allied IAs in W.P.(C) No.202 of 1995 titled 'T.N.Godavaraman v/s union of India and others. (Regarding 1 Km of ESZ minimum around Wildlife Sanctuaries and National Park).
- b) Guidelines issued by the MoEF&CC Dated 9th Feb. 2011 (Regarding activities proscribed and prescribed in the ESZ)
- c) Office Memorandum of the MoEF&CC, F.No: 22-43/2018-IA.III dated 08th August 2019 (Regarding prohibition of mining of minerals within the Eco-sensitive Zone or 01 Km from the boundaries of National Park or sanctuary.

That the Hon'ble High Court was briefed in all para wise reply of writ petitions about all these facts, reference to all the notifications, guidelines and the circulars and various orders of the Hon'ble Supreme court Orders and may seek its kind intervention to set aside the plea of the petitioners.

That, this office on behalf of the respondents 3,4,11 and 13 through the office of the Additional Advocate General has filed the para wise reply of the writ petition timely wherein under Para 12 it has been clearly mentioned by this office that the boundaries of the geographical landscapes like National Parks /Wildlife Sanctuaries are determined by the natural features like ridges, nallas, crevices, vegetation strata's etc. The need of the installation of boundary pillars arises only where apprehensions of any land disputes with the local communities arises. All forests in the UT of J&K though delineated and recorded as demarcated forests are not fully consolidated by way of installing boundary pillars.

Order Dated 20.12.2022:

The Hon'ble High Court was pleased to order that the compliance be filed by or before the next date of hearing.

Order Dated 31.01.2023:

Para 4: *"Mr. F.A. Bhat, AAG appearing counsel for the respondents Forest/Wildlife Department, would submit that a compliance report stand filed on 10th of January,2023. Mr.F.A.Bhat, AAG while inviting the attention of the court to the said compliance report would submit that the respondents instead of undertaking the demarcation in compliance to the order passed by this court on 25th November, 2022 have in essence resolved to seek dismissal of the petition in the light of the notifications issued by the Government of India on 25th March, 2022 and 19th March, 1987".*

Para 6: *"As noticed in the preceding paras, the aforesaid respondents came to be directed in specific terms by this court to conduct the demarcation on ground in*

the area in question and to make a report to this court for enabling the court to resolve the controversy at the earliest effectively and conclusively, however the said order admittedly has not been complied with by the respondents as emerge from the perusal of the compliance report filed by the respondents. The non-compliance of the order prima facie is blatant and writ large warranting initiation or appropriate proceedings against the said respondents, more so, in view of the failure of the respondents to file any response to the petition. However, before proceedings to initiate such proceedings against the respondents, the respondents 2,3,7,8,9&11 are directed to appear in person along with the record of the case on the next date of hearing”.

That, vide your communication No:RWLW/K/Estt/2022-23/2514-22 Dated 03-02-2023 addressed to the Deputy Commissioner Baramulla, it was conveyed that since Hon'ble High Court has taken a serious view regarding non-compliance of its orders and in order to comply the directions of the Hon'ble High Court Order Dated 25-11-2022 and to enable to submit the compliance report before the Hon'ble Court, it was requested to direct respondent No 7 and 8 to accompany you on ground for giving a formal start to the Demarcation process on ground. Besides undersigned and DFO Demarcation Forest Department were requested for similar action.

That, Principal Chief Conservator of Forests & HoFF Jammu and Kashmir Forest Department answering respondent No:2 and Principal Chief Conservator of Forests (WL)/Chief Wildlife Warden J&K answering respondent No.3 while submitting the application through counsel (AAG) for dispensing with the personal appearance passed by the court vide order dated 31.01.2023 also submitted that clear-cut instructions have been conveyed to the subordinate officers to comply the orders of the Hon'ble Court in letter and spirit without any further delay.

That, your good self on behalf of the answering respondents have informed the Hon'ble High Court through Counsel (AAG) on affidavit regarding the start of the process of Demarcation on ground along with other team members who were accompanying you on 08-02-2023 for the purpose.

Order Dated:09-02-2023

Para :5“*Mr. Qadri would submit that the directions passed by this Court on 25.11.2022 for effecting demarcation on ground of the area, a committee has been constituted under the Chairmanship of respondent no. 3 and that the said demarcation could not be bona fidely undertaken immediately and that the same is likely to take around three months of time having regard to the terrain and topography of the area”.*

Para :6“*Mr. Tasaduq H. Khawaja, appearing counsel for the petitioner in principle do not oppose the timeframe suggested by Mr. Qadri, however, Mr. Khawaja would submit that the notification refereed by the respondents qua Wild Life Sanctuary Lachipora does not over the areas where the mines of the petitioners are located having regard to the Section 24-A of Wild Life*

Protection Act, as according to Mr. Khawaja the said notification is applicable to only the Forest/State land and not to the private lands where the mines of the petitioner are located and the mines of the petitioners as well do not fall within an area of one km from the Sanctuary in question".

Para :7*"The submission of Mr. Khawaja prima facie is fortified by the reply filed by respondents which per se suggest that there is huge ambiguity and uncertainty insofar as the existing boundary of Sanctuary in question is concerned. This position also lends support from the Policy of the Government as emerges from two communications dated 03.02.2023 addressed by the Under Secretary to the Government Mining Department to the Director Geology & Mining and by Director Geology and Mining to the Joint Director (K) Geology and Mining respectively produced by Mr. Khawaja wherein it is stated that the mining operations shall be stopped once demarcation takes place thus, in explicit terms suggesting that the respondents themselves are not sure whether the mines of the petitioners are located in the prohibited zone or not".*

Para :8*"Mr. Khawaja in view of aforesaid facts and circumstances would pray for grant of an interim relief on the premise that the petitioners have a strong prima facie case as also balance of convenience lie in their favour and that withholding of an interim relief in their favour would adversely and harshly effect their rights including right to livelihood".*

Para:9 *"Having regard to the aforesaid position, facts, circumstances and record available, there appears to be substance in the submissions made by Mr. Khawaja. The petitioners thus, have been able to carve out of a case for grant of indulgence and an interim relief at this stage. Therefore, in order to maintain the scales of balance evenly the respondents are directed to permit the petitioners to carry out mining activities till such time the process of demarcation of the area is undertaken and concluded by them on ground".*

Para:10 *"It is made clear that in case after said demarcation the mines of the petitioners are found to be situated within the prohibited zone/s, the respondents shall forthwith stop the petitioners from carrying out the said mining activities".*

That, Divisional Forest Officer Demarcation Forest Division vide his communication No:Dem/Estt/2022-23/2884-90 Dated: 14-02-2023 has explicitly laid that the mandate of the Division is to locate and renovate the forest boundaries of demarcated forests as mentioned in Form-01(Register of Demarcated Forests with various necessary details) true to demarcation records viz. Demarcation Map and Tashreeh-Burjiyat (Description of boundary pillars)available in his Division, following necessary standard operating Procedures. Meaning thereby no fresh Demarcation of part of Lachipora Wildlife Sanctuary which comprises of forest area can be undertaken and DFO Demarcation can only help to locate and renovate the already demarcated forest boundaries. However, has assured to assist technically in delineating the overall boundaries/limits of the said protected area to comply

That, Sub Divisional Magistrate Uri, vide communication SDM/Uri/23/409-15 Dated: 21/02/2023 requested for deputing officials of this Department to complete the process of demarcation on daily basis besides designated Tehsildar Boniyar as Nodal Officer from the Revenue Department to liaise and coordinate for speedy conduct of demarcation.

That, vide order No:37 of 2022-23 Dated: 23-02-2023 this office has constituted a team of 5 officials and kept at the disposal of SDM Uri for demarcation of Lachipora Wildlife Sanctuary besides to liaise with the Nodal Officer for speedy conduct of the exercise.

That, as sought by the Divisional Forest officer Demarcation Division vide this office communication No:WLW(N) Estt/2022-23/1775-85 Dt: 07-03-2023 this office provided all the requisite documents and maps to his office to facilitate him for smooth conduct of Demarcation.

That, this office is in receipt of a copy of the communication of Tehsildar Boniyar (Nodal Officer) addressed to the Sub-Divisional Magistrate vide No:The/Byr/OQ/23/750 dated: 05/04/2023 stating therein that during the on-spot visit of the representative respondent offices it was observed /found that wildlife team was having no authenticated map available with them. Besides perusal of revenue records, it reveals that no entries regarding notification of any land in the name of the Lachipora Wildlife Sanctuary is recorded. Besides has mentioned that demarcation of forest boundaries shall not be a fruitful exercise, as it does not reveal the Lachipora limits as the later may also include the land other than forests.

That, vide this office communication No: WLW(N)/Estt/2023-24/46-551 Dt: 07-04-2023 the sub-Divisional Magistrate, Uri District Baramulla was informed about various initiatives taken by the Department in coordination thereby substantiating the fact that the Department is seriously taking the orders of the Hon'ble High Court for compliance in the matter, besides some facts which need to be considered were also put forth so that during the demarcation process of non-forest land falling in notified limits of of Lachipora Wildlife Sanctuary for incorporation in the report, these are listed as under:

1. Section 18 Sub-Section (2) of Wildlife Protection Act, 1972 states that "the notification referred to in sub-section (1) shall specify, as nearly as possible, the situation and limits of such area. This is followed by Explanation - For the purposes of this section, it shall be sufficient to describe the area by roads, rivers, ridges, or other well-known or readily intelligible boundaries.

2. Further, the Section 25 A of Wildlife Protection Act, 1972 regarding time limit for completion of acquisition proceedings sub-section (2) of the Act states as under:

"(1) The Collector shall, as far as possible, complete the proceedings under section 19 to 25 (both inclusive), within a period of two years from the date of notification of declaration of sanctuary under section 18.

(2) The notification shall not lapse if, for any reasons, the proceedings are not completed within a period of two years."

3. That vide SROs 150, dated: 19.03.1987, Lachipora has been declared as Wildlife Sanctuary under, the limits and boundaries mentioned in the notification are given as under:

- a) North - Kakau Forest of Langate Forest Division.
- b) South - Maidan Forest.
- c) South East - River Jehlum, Baramulla-Uri Road and village Chandanwari.
- d) West - Pass-Garajagali and Maidan Forest and Cease-fire line.
- e) East - Dogi pahar peak, Bagna and Limber Forests.

Further, the map annexed to this notification clearly shows the natural features within the ambit of this notification

4. Vide S.O.1330 (E) and S.O. 2180 (E), dated: 7* June, 2021, Ministry of Environment, Forest & Climate Change, Government of India has notified the Eco-sensitive Zone around Lachipora Wildlife Sanctuary as well, the limits of this Eco-Sensitive Zone are properly geo-tagged and are available in the digital form as well.

Order Dated 10.04.2023

WP(C) 495/2023, WP(C) 634/2023, WP(C)2649/2022 in all these writ petitions "*Interim direction, if any, subsisting shall continue till next date of hearing*".

Now therefore, in view of the above some technical issues emerging thereof are discussed as under:

1. In exercise of powers conferred by section 17 of the Jammu and Kashmir Wildlife (Protection)Act,1978 Government of Jammu and Kashmir vide SRO No: 150Dated 19.03.1987 has notified the specified areas in Annexure "A" to the notification as Lachipora Wildlife Sanctuary.
2. As envisaged under Section 17 (2) of the Jammu and Kashmir Wildlife (Protection)Act,1978 the notification referred to in sub section (1) shall specify, as nearly as possible,the situation and limits of such area. The limits of the Lachipra Wildlife Sanctuary are specifically mentioned as under:

North - Kakau Forest of Langate Forest Division.

South - Maidan Forest.

South East - River Jehlum, Baramulla-Uri Road and village Chandanwari.

West - Pass-Garajagali and Maidan Forest and Cease-fire line.

East - Dogi pahar peak, Bagna and Limber Forests.

Further,as mentioned in the notification the area of the Lachipora Wildlife Sanctuary is 80 Sq.Km and includes the whole water catchment zone of

the said Nalla. Besides is represented on the G.T. Sheet.No:43J/3 & 43J/4. Map annexed to the said notification is available in the records.

3. Government of Jammu and Kashmir, Revenue Department vide Notification, SRO 125 5th April 2007 after exercising the powers conferred by Section 17-A of the Jammu and Kashmir Wildlife Protection Act 1978 appointed assistant commissioner Revenue as collector to enquire into and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of sanctuaries/National parks within their local limits.
4. In exercise of powers under section 17(A) of Jammu and Kashmir Wildlife Protection Act,1978 Assistant Commissioner Revenue Baramulla in the capacity as collector has notified enquire into and determine the existence,nature and extent of rights of any person in or over the land comprised within the limits of Lachipora Wildlife Sanctuary notified vide SRO 150 Dated 19:03:1987 falling in Tehsil Boniyar. The residents of the area were informed to file their objections in writing if any within the period of 15 days from the publication of the notice published in the local newspapers on 20-10-2007.
5. Section 19 of Jammu and Kashmir Wildlife Protection Act, 1978 pertains to Bar of accrual of rights envisaging thereby that after the issue of a notification under section 17, no right shall be acquired in, on or over the land comprised within the limits of the area specified in such notification, except by succession, testamentary or intestate.
6. Section 17 sub section (3) of Jammu and Kashmir Wildlife Protection Act,1978 envisages that where any proceedings under any of the provisions of sections 17 to 24(both inclusive)is pending on the date of commencement of the Jammu and Kashmir Wildlife (Protection)(Amendment)Act,2002 with regard to any demarcated or un-demarcated forests declared under the sub section (1) to be a sanctuary, it shall be deemed to be sanctuary, declared under this Act, and the rights if any, recorded at the time of declaration of the demarcated or un-demarcated forests, subject to the provisions of Section 24A, shall continue. Provided that when the Government issues or has issued a notification under the J&K Wildlife Act, 1978 declaring its intention to constitute any area, not comprised within any demarcated or un-demarcated forests as a sanctuary, the provisions of section 26 to 34(both inclusive) shall come into effect forthwith.

Explanation to this effect: For the Purpose of section 17 it shall be sufficient to describe, the area by road, rivers, ridges or other well-known or readily intelligible boundaries.

7. Hon'ble Supreme Court Order dated 05th of October, 2015 on the matters related to national Parks/Wildlife Sanctuaries has clearly stated that all matters for grant of permissions for implementation of projects in areas falling in National parks/sanctuaries, Including rationalization of boundaries etc. Will be considered by the Standing Committee of the National Board for Wildlife ("NBWL") on its own merits and in conformity with the orders and directions passed by this court from time to time i.e.,

- on 14.02.2000,16.12.2002,13.11.2000,09.05.2002 and other subsequent clarifactory orders/judgement(s) passed by this court including Goa Foundation v/s union of India and others reported in (2004) 6 SCC 590.
8. Based on the limits and the boundaries mentioned in the SRO 150 Dated 19:03:1987,vide S.O.1330 (E) and S.O. 2180 (E), dated: 7th June, 2021, Ministry of Environment, Forest & Climate Change, Government of India has notified the Eco-sensitive Zone around Lachipora Wildlife Sanctuary as well, the limits of this Eco-Sensitive Zone are properly recorded,geo-tagged and proper mapped.
 9. This office vide communication No: WLW(N)Estt/2023-24/46-51 Dated: 07-04-2023 has approached the Sub Divisional Magistrate,Uri, District Baramulla with all facts and figures and available records connected with the issue of demarcation of Lachipora Wildlife Sanctuary, with the request to kindly take these facts also into consideration during the process of demarcation of non-forest land falling in above said notified limits of the Lachipora Wildlife Sanctuary. The Department however, is always ready to assist the designated party of the demarcation to locate these limits and boundaries as and when the team visits the spot for early accomplishment of the exercise and as compliance to the Hon'ble High Court order in the matter.
 10. That, in compliance to the Hon'ble High Court of J&K and Ladakh Order Dated:09-02-2023 the process of demarcation of demarcated and un-demarcated forests on ground is currently in progress and is being carried out by the Forest demarcation division and the staff of the wildlife department jointly. The Divisional Forest Officer Demarcation has however, explicitly communicated its mandate that the Division is to locate and renovate the forest boundaries of demarcated forests as mentioned in Form-01(Register of Demarcated Forests with various necessary details) true to demarcation records viz. Demarcation Map and Tashreeh-Burjiyat. This means that the part of the Lachipora Wildlife Sanctuary comprising of forest land are already demarcated and the Divisional Forest Officer Forest demarcation Division has only to locate and renovate the boundaries as mentioned in the Form-01.
 11. While locating these demarcated limits true to the existing records, the process is taking long time, and as per the staff of the Forest Demarcation Division the terrain is rugged mountainous, steep and is going to take considerably long time to complete the demarcation of demarcated and un-demarcated forests falling in the Lachipora Wildlife Sanctuary. It is only then; the Revenue Department can start the demarcation of non-Forestland falling within the limits and boundaries mentioned in the notification issued vide SRO 150 dated: 19-03-1987.
 12. The Lachipora Wildlife Sanctuary is a part of Kazinag landscape which also comprises adjoining Limber Wildlife Sanctuary and Naganari Wildlife Conservation Reserve. All these Protected Landscape are the prime and the only habitat for viable population of Pir Panjal Markhor, which is highly endangered and is listed as Schedule-1 species in the Wildlife Protection Act,1972. The landscape though connected as an upper catchment area

fall apart downwards. It is in these existing gaps most of the gypsum mines operate, which forms critical wildlife corridor for markhor to move from one Lachipora to Limber Wildlife Sanctuaries and to the Naganari Conservation Reserve.

13. Deputy Commissioner Baramulla vide Order issued under endtt No: DCB/SQ/1640-46 Dated: 26-07-2022 constituted a team of officers under the chairmanship of Sub Divisional Magistrate Uri, to ascertain whether the mining units in question operate within or outside the Eco-sensitive zone.

14. Sub Divisional Magistrate Uri, vide his office endtt.No: SDM/Uri/22/1317 Dated 13-09-2022 submitted the report of the committee to the Deputy commissioner Baramulla and the conclusion arrived at by the committee is reproduced as under:

"In view all above facts and figures quoted above, out of fifteen listed leased out gypsum mines, at least four mines (4) namely GM Industries (Non-functional), Khyber Industries (Non-functional), Pir Panjal Industries (Non-functional) and New Sigma (Functional) have been found to be falling either fully or partly within the limits of the Protected area namely Lachipora Wildlife Sanctuary in contravention to all rules. Ten (10) gypsum mines namely Raaz chemicals, Snow white, Noor Mohd Trumboo, Tower Chemicals, Kohinoor Gypsum, Baba Chemicals, Syed Mohd Tahir, Syed Mohd Irshad, Jehlum Valley and Kashmir Minerals were found to be falling within the minimum 1 Km wide Eco-Sensitive Zone from the boundaries of the Protected areas of Wildlife. Only one (1) gypsum mine namely Neelum Valley situated in Salamabad Dachina is found to be falling outside the ESZ. Hence, the report is submitted for further necessary action so that necessary implementation of Hon'ble Supreme Court Orders".

15. Finally District Mineral Officer Baramulla vide his Endtt: No: DMO/DGM/BLA/2022-23/1701-1718 Dated 17/11/2022 has established that thirteen 13 No of mines mentioned in the letter fall in the Eco-Sensitive Zone of Lachipora Wildlife Sanctuary and therefore compliant to the aforementioned order of the Hon'ble Supreme Court of India, and directed the mine lease holders to stop the mining activities forth with. Any de-reliction in this regard shall invite strict penalty under Law.

16. In place to mention that very recently Hon'ble Supreme Court of India vide Order Dated:26 April,2023 in the matter of Writ petition(civil) No. 292 of 1995 T.N.Godavarman Thirumulpad V/S union of India and Others under **Para 65** made it explicitly clear that :

"We also modify the direction contained in paragraph 56.4 of the order dated 3rd June, 2022(Supra) and direct that mining within the National Parks and Wildlife Sanctuaries and within an area of one kilometre from the boundary of such National Park and wildlife Sanctuary shall not be permissible."

Now, therefore, in view of the above and the legal perspective attached with the issue the interim relief granted to the petitioner in the order of the Hon'ble High Court of J&K and Ladakh dated 09-02-2023 **to permit the**

petitioners to carry out mining activities till such time the process of demarcation of the area is undertaken and concluded on ground and after said demarcation the mines of the petitioners are found to be situated within the prohibited zone/s, the respondents shall forthwith stop the petitioners from carrying out the said mining activities. Further this zone of consideration and interim relief has also been extended to Jehlum Valley Gypsum and Syed Mohd Tahir in the WP(c)495/2023 and Syed Mohd Irshad in WP(C) 634/2023 as well.

The paras supra and in view of the revised guidelines issued by the ministry of Environment Forests and climate change on 21st July 2022 it has been made clear that with regard to the alteration of boundaries has quoted Section 26(A)(3) and 35(5) of Wildlife Protection Act, no alteration of the boundaries of a Sanctuary/National Park by the state government can be made except on a recommendation of the NBWL/SCNBWL.

17. Further, Government of Jammu and Kashmir while issuing SRO 150 dated 19th of March, 1987 after exercising powers under section 17 of erstwhile Jammu and Kashmir Wildlife Protection Act, 1978 has clearly defined the physical limits and boundaries of Lachipora Wildlife Sanctuary on its North, South, East and West directions supplemented with a map as well therefore, Department of Wildlife Protection, Government of Jammu and Kashmir, has a reason to believe that there is no ambiguity on the part of defined outer limits of the boundaries, Process of demarcation however, is not opposing the process of demarcation as well but to the extent that, in exercise of powers under section 17(A) of Jammu and Kashmir Wildlife Protection Act, 1978 Assistant Commissioner Revenue Baramulla in the capacity as collector has notified enquire into and determine the existence, nature and extent of rights of any person in or over the land comprised within the limits of Lachipora Wildlife Sanctuary while doing so he has to take into the consideration that Section 19 of Jammu and Kashmir Wildlife Protection Act, 1978 pertains to Bar of accrual of rights envisaging thereby that after the issue of a notification under section 17, no right shall be acquired in, on or over the land comprised within the limits of the area specified in such notification, except by succession, testamentary or intestate.

The interim relief granted by the Hon'ble High Court in its order Dated:- 09.02.2023 and subsequently extended to other applicants under the orders dated :10.04.2023.

Process of Demarcation:

In compliance to the orders of the Hon'ble High Court of Jammu & Kashmir and Ladakh, the process of demarcation was given a formal start on 08-02-2023. During the discussion, the joint team was informed by the Wildlife Protection Department that the Lachipora Wildlife Sanctuary constitutes both forest and revenue land, therefore, to demarcate the same on the ground it was decided that the exercise will be accomplished in two phases. The 1st phase related to the forest areas was agreed to be surveyed and

delineated by the DFO Demarcation, J&K Forest Department with respect to the available records. Similarly, under phase 2nd the Revenue officers had agreed to assist in demarcating the revenue land forming a part of Lachipora Wildlife Sanctuary as well.

a) Phase – I:

The DFO Demarcation, J&K Forest Department vide communication No. Dem/Estt/2023-24/1833-39, dated: 06-12-2023 has submitted the report stating therein that the process of survey and delineation of already demarcated forest as per the forest record and Form – 1 has been completed and geo-reference data is enclosed. (Annexure A & B)

b) Phase – II:

While the Revenue authorities have stated that though there is no mention of any record substantiating the claim of Wildlife Protection Department to the extent that forming a part of protected area. However, based on the notifications and SOs issued by the State and Central Governments, the details to the extent the revenue land forms a part of the Sanctuary as claimed was shared by the Tehsildar Uri vide his communication No. Teh/Byr/OQ/23/811, dated: 26-12-2023 copy enclosed as (Annexure C).

Both the records were finally made available to the Forest Department, Photo-Interpretation Division for generating maps of different layers in GIS environment and therefore, layers of maps were made available as under: (Annexure D maps)

- I. Map showing the demarcation of forests as per Form – 1.
- II. Map showing the details of revenue land forming a part of protected area Lachipora Wildlife Sanctuary.
- III. Map showing the combined protected area incorporating revenue and forest areas.
- IV. Map showing the extent of Eco-Sensitive Zone around Lachipora Wildlife Sanctuary as delineated vide S.O. No. 1330(E), dated: 25th March 2022.
- V. Map showing the extent of 1 Km buffer from the protected area boundary of Lachipora Wildlife Sanctuary as prohibited zone for undertaking commercial mining.
- VI. Map showing the location of all the (15) number of mines operating in and outside of Lachipora Wildlife Sanctuary.

That Government of India Notification S.O. 1330(E) dated 25.03.2022 issued by Ministry of Environment, Forest and Climate Change, and Notification No's SRO 425 dated 18 December 2007, SRO 157 dated 19th March 1987 and SRO 150 dated 19th March 1987 boundaries of the Kazinag National Park/ Limber and Lachipora Wildlife Sanctuaries are notified ESZ (Eco-Sensitive Zone) are properly delineated and there is no ambiguity with respect to demarcated limits.

That the said aspect has not been appreciated by the Hon'ble High Court of J&K while passing the impugned order in the case titled M/s Tower Chemicals having allotted mine at Bagna Tehsil Boniyar, Baramulla through its proprietor Mohammad Farooq Wani Aged 60 years S/o Ghulam Qadir Wani R/o Jawahar Nagar, Srinagar instead the Hon'ble Court has directed the petitioner department for concluding demarcation process. Therefore, an error is apparent on the impugned order passed by this Hon'ble Court as the above stated fact has not been taken into consideration while passing the impugned order.

That, it is pertinent to mention here that the mines of the respondents herein fall in the Prohibitory zones of 1 Km from the boundary of the Lachipora Wildlife Sanctuary, as such, the respondents have been directed by the petitioner Wildlife Department to stop the mining activities forthwith. Needless to mention here that the said directions has been issued by the Wildlife Department on the backdrop of the order dated 06.06.2022 passed by the Hon'ble Supreme Court of India in IA No.1000 of 2003 and allied IAs in WP(C) No.202 of 1995 titled T N Godavaram Vs Union of India and Ors wherein it has been directed that each National Park or Wildlife Sanctuaries must have an Eco-Sensitive Zone of minimum 01 KM measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th Feb. 2011 shall be strictly adhered to. This order of the Apex Court however, was followed a modification by virtue of an Order dated 26.04.2023 to the extent that commercial mining was continued to be a prohibited activity in the wildlife area, in the Eco-sensitive zone and within 1 km buffer from the boundary of any National Park or Wildlife Sanctuary.

That, after having received the copy of the impugned orders passed by the Hon'ble Court, the matter remained under examination in the Administrative Department and the matter was examined by the applicants in light of the records. In the process, the applicants were required to collect the records from various offices and also to obtain legal advice from the Department of Law, Justice and Parliamentary Affairs. Sanction to file Review Petition was given by the law Department. The examination of the matter and consideration of the question of filing of the Review Petition at various levels obviously led to consumption of time. After receiving the relevant records, the Ld. Sr. Counsel is now in the process of drafting and filing of Review Petition. Thus, the delay has not been caused in filing of the Review Petition deliberately, willfully or intentionally.

- That in order to comply with the directions of the Hon'ble High court a fresh exercise for ascertaining the demarcated limits of Lachipora Wildlife Sanctuary was conducted jointly with Forest Department, Forest Demarcation Division, Kashmir and concerned Revenue authorities.
- Since Lachipora WLS is comprised of both Forest and Revenue land therefore, in the first phase of ascertaining the demarcation limits was given a start by a team of DFO Demarcation. The delineated points were located marked and geo-referenced after an exhaustive survey was conducted in the rugged terrain. This exercise is now complete to the extent 100%.

- Immediately after the completion of the first exercise the demarcation of revenue land comprising a part of the Lachipora WLS was taken up in joint coordination with concerned revenue authorities. The revenue authorities however, were of the opinion that the revenue land as claimed by Wildlife Department is a part of the sanctuary has no mention in the existing revenue records. For the purpose of its clarification, it was informed that the limits and boundaries has been made a mention in the relevant SRO issued by the State Government in the year 1987 and map annexed to this notification. Mere absence of mention in the revenue records to this extent cannot supersede the notification issued under the provisions of Wildlife (Protection) Act and Environment Protection Act.
- That, later on the basis of the mutual agreement the revenue details of this portion of the area were furnished by the Tehsildar concerned and based on the same records limits of the sanctuary were once again established.

Based on the digitization of this record, the status of the location of each of mining unit has been ascertained with respect to the distance from the demarcated boundaries of Lachipora Wildlife Sanctuary as under:

S. No	Name of the Mining Unit	Geo-Coordinates of Protected Area	Geo-Coordinates of Mining Unit	Distance from the Protected Areas	Distance from Eco-sensitive Zone boundary	Remarks
1	Raz Chemicals	34° 9'30.25" N 74° 06'14.13"E	34° 9'30.95" N 74° 6'10.66"E	96 Meters	0 KM	Within 1 KM
2	Snow White Gypsum	34° 9'39.59" N 74° 06'06.66"E	34° 9'38.47" N 74° 6'1.75"E	130 Meters	0 KM	Within 1 KM
3	Pir Panjal Industries	34° 9'27.06" N 74° 06'12.82"E	34° 9'25.61" N 74° 6'23.92"E	0 Meters	0 KM	Within 1 KM
4	Khyber Industries	34° 9'18.53" N 74° 05'35.63"E	34° 9'14.61" N 74° 5'33.62" E	0 Meters	0 KM	Within 1 KM
5	Noor Mohammad Trumboo	34° 9'37.65" N 74° 02'38.77"E	34° 9'20.17" N 74° 2'34.60" E	519 Meters	0 KM	Within 1 KM
6	GEE EMM Industries	34° 9'31.13" N 74° 07'07.25"E	34° 9'31.43" N 74° 7'7.18"E	0 Meters	0 KM	Within 1 KM
7	New Sigma Industries	34° 9'34.70" N 74° 07'04.33"E	34° 9'35.13" N 74° 7'1.43" E	0 Meters	0 KM	Within 1 KM
8	Tower Chemicals	34° 9'38.14" N 74° 06'59.64"E	34° 9'38.31" N 74° 6'59.89"E	12 Meters	0 KM	Within 1 KM
9	Kohinoor Gypsum	34° 9'42.94" N 74° 06'52.96"E	34° 9'46.45" N 74° 6'55.25"E	130 Meters	0 KM	Within 1 KM
10	Baba Chemicals	34° 9'18.92" N 74° 07'21.77"E	34° 9'31.09" N 74° 7'45.69"E	756 Meters	0 KM	Within 1 KM
11	Syed Mohammad Tahir	34° 9'12.99" N 74° 04'49.77"E	34° 9'2.76" N 74° 4'59.95"E	366 Meters	0 KM	Within 1 KM

	Industries	74° 07'04.33"E	74° 7'1.43" E			KM
8	Tower Chemicals	34° 9'38.14" N 74° 06'59.64"E	34° 9'38.31" N 74° 6'59.89"E	12 Meters	0 KM	Within 1 KM
9	Kohinoor Gypsum	34° 9'42.94" N 74° 06'52.96"E	34° 9'46.45" N 74° 6'55.25"E	130 Meters	0 KM	Within 1 KM
10	Baba Chemicals	34° 9'18.92" N 74° 07'21.77"E	34° 9'31.09" N 74° 7'45.69"E	756 Meters	0 KM	Within 1 KM
11	Syed Mohammad Tahir	34° 9'12.99" N 74° 04'49.77"E	34° 9'2.76" N 74° 4'59.95"E	366 Meters	0 KM	Within 1 KM
12	Syed Mohammad Irshad	34° 9'10.85" N 74° 04'44.94"E	34° 9'5.81" N 74° 4'47.36"E	170 Meters	0 KM	Within 1 KM
13	JHELUM VALLEY	34° 9'13.02" N 74° 04'58.15"E	34° 9'2.76" N 74° 4'59.95"E	327 Meters	0 KM	Within 1 KM
14	Kashmir Mineral Mills	34° 9'03.72" N 74° 05'22.64"E	34° 8'50.11" N 74° 5'21.31"E	302 Meters	0 KM	Within 1 KM

Hence report is submitted.

Yours faithfully

[Signature]
Wildlife Warden
North Kashmir Division
Sopore



Government of Jammu and Kashmir
Department of Wildlife Protection
OFFICE OF THE REGIONAL WILDLIFE WARDEN KASHMIR REGION

Address: Near Ghat No.21, Police Golf Course Dal Lake Boulevard Road, Srinagar-190001
Phone No: 0194-2955801 E-mail: rwtkashmir@gmail.com

No: RWLW/K/Legal/2023-24/272

Dated: 24-01-2024

Copy of above alongwith enclosures submitted to Pr. Chief Conservator of Forests (Wildlife)/Chief Wildlife Warden, J&K, Govt, Jammu/Kashmir for information and necessary action please.

Send thru
e-office
on 24.01.2023
[Signature]

[Signature]
Regional Wildlife Warden
Kashmir Region
24/01



Ann-A



GOVERNMENT OF JAMMU & KASHMIR (U.T)
 Office of the Divisional Forest Officer, Demarcation Forest Division,
 Srinagar

✓ The Wildlife Warden,
 North Division Sopore.

No: Dem/Estt/2023-24/ 1833-39.

Dated: 06-12-2023

Subject: Hon'ble High Court Order Dated: 25-11-2022 and 09-02-2023 in WP(C) 2649/2022 titled "Tower Chemicals and others v/s UT of J&K".

Hon'ble High Court Order Dated: 10-03-2023 WP(C) 495/2023 titled " M/S Jehlum Valley Gypsum and others v/s UT of J&K".

Hon'ble High Court Order dated: 27-03-2023 in WP(C) 634/2023 titled "Syed Mohamad Irshad v/s UT of J&K".

Reference: This office letter No: 1. Dem/Estt/2023-24/1141-1147, Dated: 24-08-2023
 2. Dem/Estt/2023-24/1214-1217, Dated: 01-09-2023
 3. Dem/Estt/2023-24/1417-1419, Dated: 25-09-2023

Sir,

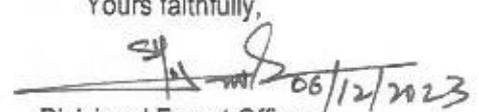
In continuation to this office above mentioned references, the Range Officer, North Demarcation Range Sgr has furnished a report along with geo-tagged joint survey report of Lachipora Forest vide No.RO/North/2023/342,05-12-2023 revealing that the task of delineation of "Khirawal Gudthal" Forest, "Gingal" Forest and "Lachipora" Forest forming part of Lachipora Wildlife Sanctuary stands completed true to the records in association with designated Wildlife Staff, detailed as under:

S No	Name of Forest	Achievement (Total No of B.Ps surveyed/delineated
01.	Khairawala Gudthal	102
02.	Gingal	48
03.	Lachipora	90
	Total	240

It is once again intimated that 18 B.Ps [from B.P No 01 to B.P No 18] of "Khairawala Gudthal" Forest could not be delineated for want of permission from Army authorities, which infact you were supposed to obtain, as these points fall within the proximity of Army camp stationed there. The copy of above cited report of Range Officer, North Demarcation Range along with the joint survey report of "Lachipora" Forest duly attested by designated team of your deptt is enclosed for information and further necessary action at your end, please.

Encl: 1. Copy of R.O North's Report = 02 leaves
 2. Copy of Joint Inspection Report of Lachipora Forest = 03 leaves
 Total = 05 leaves

Yours faithfully,


 Divisional Forest Officer,
 Demarcation Forest Division,
 Kashmir-Srinagar

Copy submitted for information and necessary action to:

1. The Pr.Chief Conservator of Forests / Chief Wildlife Warden,J&K.
2. The Chief Conservator of Forests, Settlement & Demarcation Jammu.
3. The Regional Wildlife Warden Kashmir, Srinagar.

Copy to:

4. The Law Officer O/o Principal Chief Conservator of Forests(HoFF) J&K for information & necessary action.
5. The Private Secretary to Principal Chief Conservator of Forests(HoFF) J&K for kind information of Pr.C.C.F(HoFF) J&K as his good self is arrayed as Respondent No 02 in the writ petition.
6. The Range Officer, North Demarcation Range Srinagar for information. This is in reference to his report furnished vide No. RO/North/2023/342,05-12-2023.

↙ ↙ ↙
Divisional Forest Officer,
Demarcation Forest Division,
Kashmir-Srinagar

Page-II

OFFICE OF THE RANGE FOREST OFFICER, NORTH DEMARCATION RANGE,
SRINAGAR

✓
Divisional Forest Officer,
Demarcation Forest Division, Kmr.,
Srinagar.



No: RO/North/2023/342

Dated: 05-12-2023

Subject: **Hon'ble High Court Order Dated:25-11-2022 and 09-02-2023 in WP(C)) No: 2649/2022 titled M/S Tower Chemicals and Ors Vs UT of J&K.**

Hon'ble High Court Order Dated:10-03-2023 WP(C) 495/2023 titled "M/S Jehlum Valley Gypsum and others V/s UT of J&K"

Hon'ble High Court Order dated:27-03-2023 in WP(C) 634/2023 titled" Syed Mohammad Irshad V/s UT of J&K".

- Reference: 1. Your No: Dem/Estt/2023-24/1417-19 Dated: 25-08-2023
2. This Office No: RO/North/2023/233 Dated: 23-08-2023
3. This Office No: RO/North/2023/260 Dated: 14-09-2023

Sir,

Kindly refer to above cited subject and references. In this context, it is to submit that this office vide above reference cited at S.no.2 had submitted the 1st detailed Survey/delineation report of the forest areas of Lachipora Wildlife Sanctuary which include the demarcated forests viz "Gingal", "Khairawala Gudthal" and "Lachipora" of Buniyar Forest Range, J.V. Forest Division Baramulla, where under location of a total 158 Survey points/ BPs was achieved on ground in light of the available demarcation records (Forest file/map). Subsequently the survey/delineation of the pending 82 points/Bps of "Lachipora" Forest was under taken by the demarcation team of this office and has now been completed on spot in association with the designate team of Wildlife Protection Department. The details of the survey/delineation exercise conducted so far in the three demarcated forests which form part of Lachipora Wildlife Sanctuary as per Designate team of Wildlife Protection Department is summed up as follows:

S.No	Name of Forest	Total No. of Main line BPs Surveyed/delienated
1	Khairawala Gudthal	102
2	Gingal	48

3	Lachipora	90
	Total	240

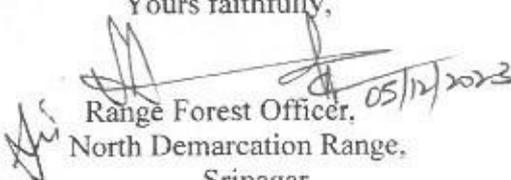
The detailed joint survey/delineation report of the "Lachipora forest" is hereby enclosed as Annexure-1 to this letter for favour of information and onward submission to concerned.

Thus, keeping in view the directions from the higher authorities/Hon'ble High Court of J&K in this instant case, the Survey/delineation of the demarcated forests shown by wildlife field staff forming part of Lachipora Wildlife Sanctuary has been completed, except for B.P No.1 to B.P.No 18 of "Khairawala Gudthal" forest which could not be overtaken due to the fact that the location of these points falls near the Army Camp for which a special permission for the field demarcation teams to conduct the field exercise is still awaited (matter stands already conveyed vide above cited reference at S. No.3).

Hence submitted for favour of information and necessary action at your end please.

Encl: Copy of Joint survey report of Lachipora forest (03 leaves in original)

Yours faithfully,

 05/12/2023
Range Forest Officer,
North Demarcation Range,
Srinagar

H.c
wedge warden
north to be
intimate & will
all enclosures
D/D
05/12/2023

S NO	BP NO	LATITUDE		LONGITUDE	
41	41	34°	11' 46.89"	074°	03' 58.17"
42	42	34°	11' 44.60"	074°	04' 01.01"
43	43	34°	11' 43.41"	074°	04' 3.39"
44	44	34°	11' 43.98"	074°	04' 4.88"
45	45	34°	11' 43.77"	074°	04' 8.09"
46	46	34°	11' 42.20"	074°	04' 8.87"
47	47	34°	11' 41.45"	074°	04' 9.81"
48	47/1	34°	11' 40.69"	074°	04' 10.45"
49	47/2	34°	11' 40.15"	074°	04' 10.48"
50	47/3	34°	11' 40.49"	074°	04' 10.20"
51	47/4	34°	11' 40.53"	074°	04' 10.28"
52	47/5	34°	11' 39.48"	074°	04' 10.19"
53	47/6	34°	11' 38.95"	074°	04' 09.89"
54	47/7	34°	11' 38.65"	074°	04' 10.08"
55	47/8	34°	11' 38.24"	074°	04' 10.79"
56	47/9	34°	11' 37.42"	074°	04' 10.92"
57	47/10	34°	11' 37.13"	074°	04' 11.25"
58	47/11	34°	11' 37.72"	074°	04' 11.79"
59	47/12	34°	11' 37.75"	074°	04' 12.35"
60	48	34°	11' 38.47"	074°	04' 13.34"
61	49	34°	11' 37.40"	074°	04' 14.35"
62	50	34°	11' 38.71"	074°	04' 18.43"
63	51	34°	11' 39.74"	074°	04' 20.66"
64	52	34°	11' 39.09"	074°	04' 22.64"
65	53	34°	11' 32.88"	074°	04' 25.21"
66	54	34°	11' 32.23"	074°	04' 18.45"
67	55	34°	11' 27.88"	074°	04' 14.78"
68	56	34°	11' 20.85"	074°	04' 10.43"
69	57	34°	11' 15.33"	074°	04' 01.34"
70	58	34°	11' 09.51"	074°	03' 57.65"
71	59	34°	11' 04.35"	074°	04' 03.98"
72	60	34°	10' 59.34"	074°	04' 15.23"
73	61	34°	10' 58.78"	074°	04' 18.51"
74	62	34°	10' 55.91"	074°	04' 20.98"
75	63	34°	10' 50.24"	074°	04' 43.31"
76	64	34°	10' 44.40"	074°	04' 42.16"
77	65	34°	10' 39.67"	074°	04' 42.14"
78	66	34°	10' 36.36"	074°	04' 41.49"
79	67	34°	10' 34.43"	074°	04' 40.42"
80	68	34°	10' 36.21"	074°	04' 28.72"

Handwritten signature and text:
 Gh. Mohd. Bhat
 Sd/-

Handwritten text:
 Sd/- Gh. Mohd. Bhat

Handwritten signatures and text:
 Muzaffar
 M. Razaq
 Sd/-
 Gh. Mohd. Bhat

Handwritten signatures and text:
 Muzaffar
 Gh. Mohd. Bhat
 Sd/-

S NO	BP NO	LATITUDE		LONGITUDE	
81	69	34°	10' 35.93"	074°	04' 20.52"
82	70	34°	10' 36.41"	074°	04' 18.53"
83	71	34°	10' 40.14"	074°	04' 13.35"
84	72	34°	10' 40.93"	074°	04' 07.11"
85	73	34°	10' 41.90"	074°	04' 04.62"
86	74	34°	10' 42.13"	074°	04' 02.70"
87	75	34°	10' 46.94"	074°	03' 58.43"
88	76	34°	10' 51.36"	074°	03' 57.22"
89	77	34°	10' 55.30"	074°	03' 53.46"
90	78	34°	10' 59.33"	074°	03' 50.14"

Qk. y. p. n. e. d. B. h. t.
Sh. ad. d. u. m. p. B. h. t.

[Signature]
FIELD STAFF DEMARCATION

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FIELD STAFF DEMARCATION
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[Signature]
FIELD STAFF WILDLIFE
[Signature]
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[Signature]
FIELD STAFF WILDLIFE
[Signature]
[Signature]

[Signature]
Range Officer
RANGE OFFICER DEMARCATION
Division Srinagar

[Signature]
Range Officer
RANGE OFFICER WILDLIFE
Wild Life Protection
Range (Baramulla)



Ann-B



GOVERNMENT OF JAMMU & KASHMIR (U.T)
 Office of the Divisional Forest Officer, Demarcation Forest Division,
 Srinagar

**The Wildlife Warden ,
 North Division Sopore.**

No: Dem/Estt/2023-24/ 1141-1147.

Dated: 24-08-2023

Subject: Hon'ble High Court Order Dated: 25-11-2022 and 09-02-2023 in WP(C) 2649/2022 titled "Tower Chemicals and others v/s UT of J&K".
 Hon'ble High Court Order Dated: 10-03-2023 WP(C) 495/2023 titled " M/S Jehlum Valley Gypsum and others v/s UT of J&K".
 Hon'ble High Court Order dated: 27-03-2023 in WP(C) 634/2023 titled " Syed Mohamad Irshad v/s UT of J&K".

Reference: Regional Wildlife Warden, Kashmir's letter No.RWLW/K/Legal/2022-23/144-46,
 Dated: 17-08-2023

<><><><>

Sir,

In compliance to the Hon'ble High Court Orders in the instant case please refer this office communication vide No.Dem/Estt/2023-24/127-131,Dated: 26-04-2023 addressed to Range Officer, North Demarcation Range copy of the same to your office and Regional Wildlife Warden Kashmir as well. In this reference the Range Officer, North Demarcation Range was directed to continue with the delineation of Demarcated Forest areas being part of Lachipora Wildlife Sanctuary in association with the team designated by you for the purpose. This infact was directed by Regional Wildlife Warden Kashmir in pursuance to the deliberations held during the meeting convened by him on 15-04-2023 attended by respondents/representatives of the respondents of the case. During the meeting Regional Wildlife Warden Kashmir was informed that Demarcation Division can delineate and identify the boundaries of demarcated forests only forming part of any protected area as it possesses the records of only demarcated forests as mentioned in Form-I.

The Range Officer, North Demarcation Range now has submitted joint survey/delineation report vide his No.RO/North/2023/233, Dated: 23-08-2023 carried jointly by Demarcation team and designated team of your Department of the Demarcated Forests forming part of Lachipora Sanctuary true to the records which is enclosed herewith for

Page-01

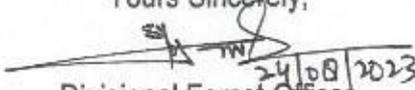
your perusal and further necessary action. The geo-location of the survey points showing the boundaries of the forests namely " Kherawala Godthal and Gingal" have been recorded with attestation of Demarcation team and designated team of your Department and form Annexure-I and Annexure-II respectively of the report. However, the delineation of "Lachipora Forest" is underway, only 08 Survey points could be delineated till date due to inclement weather and very tough and rugged terrain of the area as reported in joint survey report.

Hence for your information and necessary action.

- Encl: 1. Copy of report of Range Officer, North Demarcation Range (02 leaves)
2. Copy of joint inspection report (01 leaf).
3. Copy of joint survey report of Kherawala Godathal Forest Area (03 leaves) .
4. Copy of joint survey report of Gingal Forest Area (02 leaves)

Total Enclosures = 08 leaves.

Yours Sincerely,


24/08/2023
Divisional Forest Officer,
Demarcation Forest Division,
Kashmir Srinagar

Copy submitted for information and necessary action to:

1. The Chief Conservator of Forests, Settlement & Demarcation, J&K Jammu.
2. The Regional Wildlife Warden Kashmir Srinagar. This takes reference to his letter quoted above.
3. The Sub-Divisional Magistrate Uri.

Copy to:

4. Law Officer O/o Principal Chief Conservator of Forests (HoFF) J&K for information and necessary action.
5. Private Secretary to Principal Chief Conservator of Forests (HoFF) J&K for kind information of Pr.C.C.F (HoFF) J&K as his good self is arrayed as Respondent No 02 in the writ petition.
6. The Range Officer, North Demarcation Range Srinagar. This takes reference to his report furnished vide No RO/North/2023/233, Dated: 23-08-2023.


24/08/2023
Divisional Forest Officer,
Demarcation Forest Division,
Kashmir Srinagar

OFFICE OF THE RANGE FOREST OFFICER, NORTH DEMARCATION RANGE,

SRINAGAR

✓ Divisional Forest Officer,

Demarcation Forest Division, Kmr.,

Srinagar.



No: RO/North/2023/238

Dated: 23-08-2023

Subject: Implementation/compliance of the directions passed by the Hon'ble High Court of J&K and Ladakh in case titled M/S Tower Chemicals and Ors Vs UT of J&K and Ors in WP(C) No: 2649/2022 in CM No.6675/2022 and demarcation of Lachipora Wildlife Sanctuary

Reference: 1. DFO Demarcation Forest Div. Kmr, Sgr No's: Dem/Estt/2023-24/1070 Dated: 18-08-2023; Dem/Estt/2023-24/127-131 Dated: 26-04-2023 and Dem/Estt/2023-24/97-98 Dated: 12-04-2023

Sir,

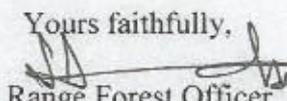
Kindly refer to above cited subject and references. In this context, it is to submit that in view of the instructions given, the survey/delineation of three demarcated forest files namely Khairawa-Gudthal, Gingal and Lachipora forests being part of the Lachipora Wildlife Sanctuary as per the concerned Wildlife Protection Department field staff was immediately taken up in association with the designated team of Wildlife Protection Department. A considerable progress has been made till date in identification of the locations of the boundary pillars of these forests as per the original demarcation records including Tafseel-burjeyat and Map; the geo-coordinate readings of these locations were also recorded. The details of the progress made so far in Khairawala-Gudthal and Gingal forests are depicted in Annexure I and Annexure II. Pertinent to mention here that the survey/delineation work initially got hampered due to constant inclement weather during the month of June, 2023. However, the field exercise for survey/delineation of the remaining BPs is currently going on, although due to high altitude and difficult terrain, the survey/delineation process will take some more time to finish. Further, it is to report that in case of Lachipora forest, the location of BP no.18 to onwards has been observed to fall in uncommercial forest site and their survey/delineation may be of less importance in instant case.

The physical progress achieved till date is shown below:

S.No	Name of Forest	Target (Total No. of Main line BPs)	Achievment (Total no. of Points/Bps surveyed/Delienated)	Remarks
1	Khairawala Gudthal	120	102	The location of 18 BPs has been observed to fall in the nearby Army Camp where the entry is restricted and special permission is required to be arranged by the Wildlife Dept. for the survey/delineation within this camp
2	Gingal	48	48	Forest file completed
3	Lachipora	92	8	Under process
	Total	260	158	

Moreover, the current survey/delineation is being carried out true to the original demarcation records but if at any stage the Revenue Department being one of the stake holder of the instant case, express any reservation about the delineated points, the matter can be sorted out by arranging a joint inspection of that particular site involving the Revenue officials, Demarcation team and designated Wildlife Protection team.

Encl: 06 leaves

Yours faithfully,

 Range Forest Officer, 23/8/23
 North Demarcation Range,
 Srinagar

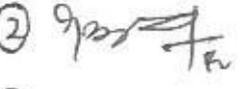
Joint Survey/ Delineation Report

Subject: Implementation of the directions passed by the Hon'ble High Court of J&K in WP(C) No: 2649/2022 titled M/S Tower Chemicals and Ors Vs UT of J&K and Ors-Dated 25-11-2022 read with Hon'ble Hoigh Court Order 31-01-2023 and 09-02-2023

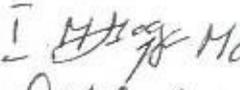
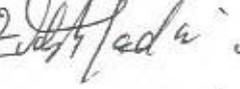
In compliance to the directions from DFO Demarcation Forest Division Kashmir, Srinagar No: Dem/Estt/2023-24/01-03 Dated: 01-04-2023 and Wildlife Warden North Division, Sopore order No:37 Of 2022-23 Dated:23-02-2023 issued vide No: WLW(N)/Esstt/2022-23/1692-96 Dated:23-02-2023, we the undersigned conducted joint survey/delineation of the Lachipora Wildlife sanctuary located in Lachipora, Baramulla using the available demarcation forest records including the cadastral maps and Tafseeli burjeyat. During the course of survey /delineation, the location of BPs of three forests namely Gingal, Khairawala Gudthal and Lachipora was surveyed and the recorded. Till date the survey/delineation has been completed in 48 Points of Gingal forest, 102 points of Khairawal Gudthal forest and .a.8. points of Lachipora forest. Since the said wildlife sanctuary is located in high altitude area and the terrain is tough and the weather is frequently inclement, the completion of survey/delineation work will take some more time.

Demarcation teams:

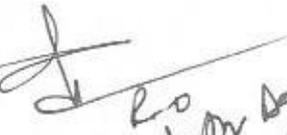
Demarcation Team Div. Kmr.

- ①  Mohammad Rafeeq.
- ②  Muzaffar Manzoor
- ③  Mudahir Hameed
- ④  Showkat Ahmad
- ⑤  Gh. Mohammad Bhat

Demarcation team (Wildlife Dept.)

1.  Mohd Yousaf Bo Lachipora
2.  Lt. Mohd. Lone
(Beat Guard)
3.  Kamran
(Assistant)

Dated: 22-08-2023.


R.O. Warden
Srinagar


R.O. Warden

joint survey Report

Name of forest KHERAWALA GODATAL
 Range:- Wildlife protection Range Baramulla.
 Compartment : c/o 7/8 Tehsi
 Year of Renovation of Demarcation: 2023-2024

Forest Division:- Wildlife protection North Division Sopore
 Block:- Wildlife protection Block Lachipora
 Distt:- Baramulla

S NO	BP NO	LATITUDE	LONGITUDE
1	1		
2	2		
3	3		
4	4		
5	5		
6	6		
7	7		
8	8		
9	9		
10	10		
11	11		
12	12		
13	12/1		
14	13		
15	14		
16	15		
17	16		
18	17		
19	18		
20	19	34° 11' 02.13"	074° 02' 20.55"
21	20	34° 10' 50.85"	074° 02' 26.88"
22	21	34° 10' 44.42 "	074° 02' 21.77"
23	22	34° 10' 48.43"	074° 02' 31.91"
24	23	34° 10' 53.0 "	074° 02' 36.01"
25	24	34° 10' 53.12 "	074° 02' 41.54"
26	25	34° 10' 48.98 "	074° 02' 44.67"
27	26	34° 10' 38.81 "	074° 02' 40.62"
28	27	34° 10' 38.00"	074° 02' 42.00"
29	28	34° 10' 35.57"	074° 02' 45.40"
30	29	34° 10' 36.00 "	074° 02' 49.75"
31	30	34° 10' 38.00"	074° 02' 57.07"
32	31	34° 10' 34.68 "	074° 03' 03.26 "
33	32	34° 10' 32.76"	074° 03' 02.28 "
34	33	34° 10' 30.50 "	074° 03' 03.76 "
35	34	34° 10' 29.66"	074° 03' 06.79"
36	35	34° 10' 27.74"	074° 03' 04.38"
37	36	34° 10' 28.44"	074° 03' 01.86"
38	37	34° 10' 26.31"	074° 03' 01.66 "
39	38	34° 10' 25.08"	074° 03' 05.29 "
40	39	34° 10' 22.07"	074° 03' 05.64 "
41	40	34° 10' 19.27"	074° 03' 04.55 "

The location of BP from 01 to 18 falls in an Army Camp for which special permission is required to carry out survey/delimitation exercise.

m. Binayak
7/2 A

Bo.
(-sel) Nam...
 P-10

84	83	34° 09'	17.35"	074° 04'	44.86"
85	84	34° 09'	16.75"	074° 04'	44.71"
86	85	34° 09'	16.37"	074° 04'	45.24"
87	86	34° 09'	15.59"	074° 04'	45.72 "
88	87	34° 09'	14.82"	074° 04'	47.04"
89	88	34° 09'	13.58"	074° 04'	50.02 "
90	89	34° 09'	12.90"	074° 04'	49.57 "
91	90	34° 09'	10.87"	074° 04'	52.06 "
92	91	34° 09'	09.15"	074° 04'	54.31"
93	92	34° 09'	08.50"	074° 04'	55.48 "
94	93	34° 09'	07.61"	074° 04'	56.05"
95	94	34° 09'	06.31"	074° 04'	55.98"
96	95	34° 09'	05.96"	074° 04'	54.72"
97	96	34° 09'	05.98"	074° 04'	55.44"
98	97	34° 09'	05.67"	074° 04'	53.11"
99	98	34° 09'	05.41"	074° 04'	51.14"
100	99	34° 09'	05.01"	074° 04'	51.10"
101	100	34° 09'	04.34"	074° 04'	51.12 "
102	101	34° 09'	05.07"	074° 04'	52.21 "
103	102	34° 09'	05.17"	074° 04'	52.88 "
104	103	34° 09'	03.73"	074° 04'	51.48 "
105	104	34° 09'	03.43"	074° 04'	48.25 "
106	105	34° 09'	02.71"	074° 04'	47.83 "
107	106	34° 09'	03.01"	074° 04'	46.05 "
108	107	34° 09'	01.51"	074° 04'	45.07 "
109	108	34° 09'	01.63"	074° 04'	44.53"
110	109	34° 09'	01.44"	074° 04'	42.70"
111	110	34° 09'	01.56"	074° 04'	41.81"
112	111	34° 09'	00.55"	074° 04'	38.92 "
113	112	34° 09'	00.17"	074° 04'	39.29 "
114	113	34° 09'	02.95"	074° 04'	26.36 "
115	114	34° 08'	57.46"	074° 04'	17.84 "
116	115	34° 08'	54.16"	074° 04'	14.13 "
117	116	34° 08'	58.13"	074° 04'	08.66 "
118	117	34° 08'	59.60"	074° 04'	01.29 "
119	118	34° 09'	28.03"	074° 03'	04.07 "
120	119	34° 09'	31.01"	074° 02'	54.05 "

[Handwritten signatures]

FIELD STAFF DEMARCATION

[Handwritten signatures]

FIELD STAFF WILDLIFE

[Handwritten signature]
22/10/23

RANGE OFFICER DEMARCATION

[Handwritten signature]

RANGE OFFICER WILDLIFE

173 Joint Survey Report

Arora

Name of forest **GINGAL FOREST**
 Range:- **Wildlife protection Range Baramulla.**
 Compartment : **9** Tehsi **Boniyar**
 Year of Renovation of Demarcation: **2023-2024**

Forest Division:- **Wildlife protection North Division Sopore**
 Block: - **Wildlife protection Block Lachipora**
 Distt:- **Baramulla**

S NO	BP NO	LATITUDE	LONGITUDE
1	1	34° 08' 34.64"	074° 06' 35.53"
2	2	34° 08' 33.50"	074° 06' 36.09"
3	3	34° 08' 32.97"	074° 06' 36.02"
4	4	34° 08' 31.46"	074° 06' 36.71"
5	5	34° 08' 30.57"	074° 06' 36.77"
6	6	34° 08' 29.77"	074° 06' 38.03"
7	7	34° 08' 26.39"	074° 06' 36.33"
8	8	34° 08' 22.00"	074° 06' 37.74"
9	9	34° 08' 21.26"	074° 06' 35.88"
10	10	34° 08' 22.40"	074° 06' 35.08"
11	11	34° 08' 23.38"	074° 06' 33.29"
12	12	34° 08' 25.41"	074° 06' 30.99"
13	13	34° 08' 27.07"	074° 06' 28.38"
14	14	34° 08' 28.17"	074° 06' 25.38"
15	15	34° 08' 29.86"	074° 06' 20.53"
16	16	34° 08' 30.61"	074° 06' 16.95"
17	17	34° 08' 32.54"	074° 06' 09.89"
18	18	34° 08' 33.05"	074° 06' 01.31"
19	19	34° 08' 30.64"	074° 05' 54.43"
20	20	34° 08' 29.55"	074° 05' 48.51"
21	21	34° 08' 28.23"	074° 05' 37.38"
22	22	34° 08' 28.77"	074° 05' 34.67"
23	23	34° 08' 29.64"	074° 05' 32.14"
24	24	34° 08' 30.00"	074° 05' 31.58"
25	25	34° 08' 30.07"	074° 05' 30.97"
26	26	34° 08' 29.94"	074° 05' 30.28"
27	27	34° 08' 30.09"	074° 05' 29.91"
28	28	34° 08' 31.22"	074° 05' 29.67"
29	29	34° 08' 32.16"	074° 05' 29.34"
30	30	34° 08' 33.26"	074° 05' 29.45"
31	31	34° 08' 33.87"	074° 05' 29.63"
32	32	34° 08' 34.20"	074° 05' 28.41"
33	33	34° 08' 38.93"	074° 05' 31.19"
34	34	34° 08' 40.30"	074° 05' 30.40"
35	35	34° 08' 45.33"	074° 05' 30.32"
36	36	34° 08' 45.32"	074° 05' 31.49"
37	37	34° 08' 44.45"	074° 05' 31.30"
38	38	34° 08' 43.00"	074° 05' 31.75"
39	39	34° 08' 43.50"	074° 05' 32.58"
40	40	34° 08' 44.90"	074° 05' 33.67"

M. Pandey
9/11/24
Fgd

M. K. B. S. S. S. S. S.
(Sd), M. K. S.

41	41	34° 08' 45.92"	074° 05' 32.82"
42	42	34° 08' 47.20"	074° 05' 33.75"
43	43	34° 08' 46.00"	074° 05' 51.05"
44	44	34° 08' 48.58"	074° 06' 08.02"
45	45	34° 08' 44.85"	074° 06' 18.97"
46	46	34° 08' 48.07"	074° 06' 27.11"
47	47	34° 08' 39.41"	074° 06' 31.45"
48	48	34° 08' 36.08"	074° 06' 34.48"

Handwritten signatures and notes for Field Staff Demarcation
 FIELD STAFF DEMARCATION

Handwritten signatures and notes for Field Staff Wildlife
 FIELD STAFF WILDFIFE

Handwritten signature and date for Range Officer Demarcation
 RANGE OFFICER DEMARCATION

Handwritten signature and date for Range Officer Wildlife
 RANGE OFFICER WILDFIFE

Annex - C

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE TEHSILDAR BONIYAR
Executive Magistrate 1st class

The wildlife Warden,
North Kashmir Division,
Sopore.

No: -Teh/Byr/OO/23/811

Dated: -26/12/2023

Subject: -Hon'ble High Court order Dated: 25/11/2023 and 09/02/2023 in WP(C)
No. 2649/2022 titled "Tower chemicals and others V/s UT of J&K.

Sir,

Kindly refer to the above captioned subject. In this context, find enclosed herewith Digital Latha (Soft Copy) of villages Lachipora, Bijhama, Bagna Noorkhah and Dachna Salamabad for further course of action at your end, please.


26-12-2023

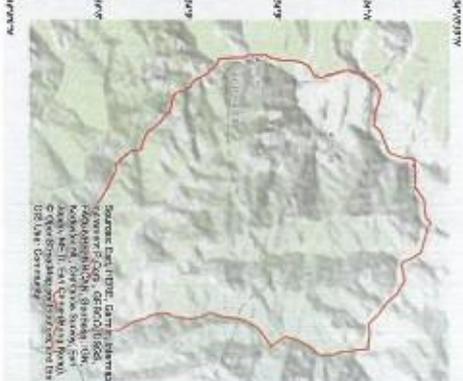
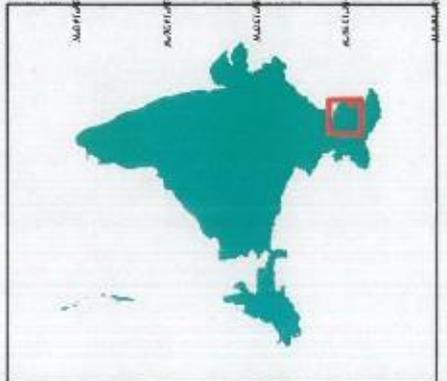
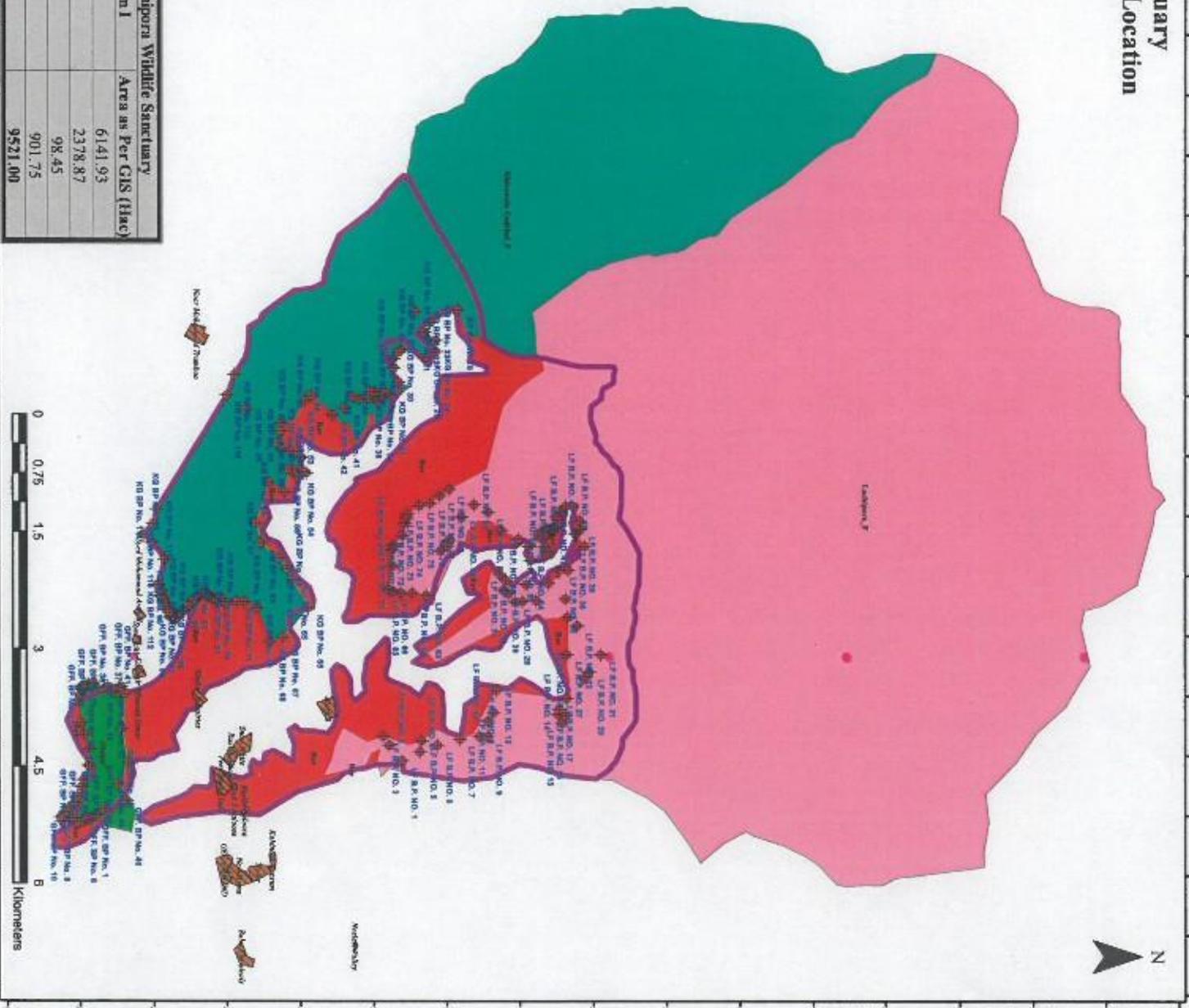
TEHSILDAR
BONIYAR

Lachipora Wildlife Sanctuary Demarcated Forest With BP Location Mining Location

Area as Per Demarcated Forest of Lachipora Wildlife Sanctuary		
Name of Forest File	Area as per Form I	Area as Per GIS (Hac)
Lachipora Forest		6141.93
Khirwala Godhal Forest		2378.87
Gingal Forest		98.45
Revenue Area		901.75
Total		9521.00

Legend

- DP_Lachipora_Dem_Field
- Area_GM
- Ren_LWIS
 <all other values>
- Ren
- Gingal
- Khirwala Godhal_F
- Lachipora_F
- Rev

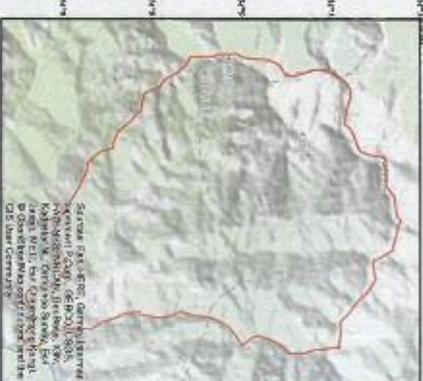
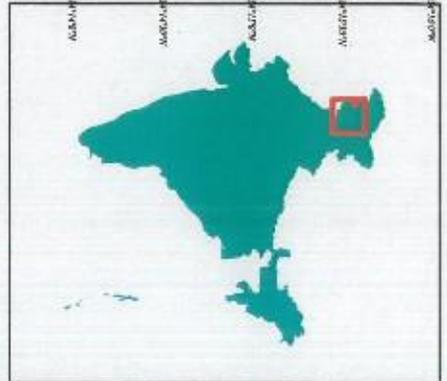
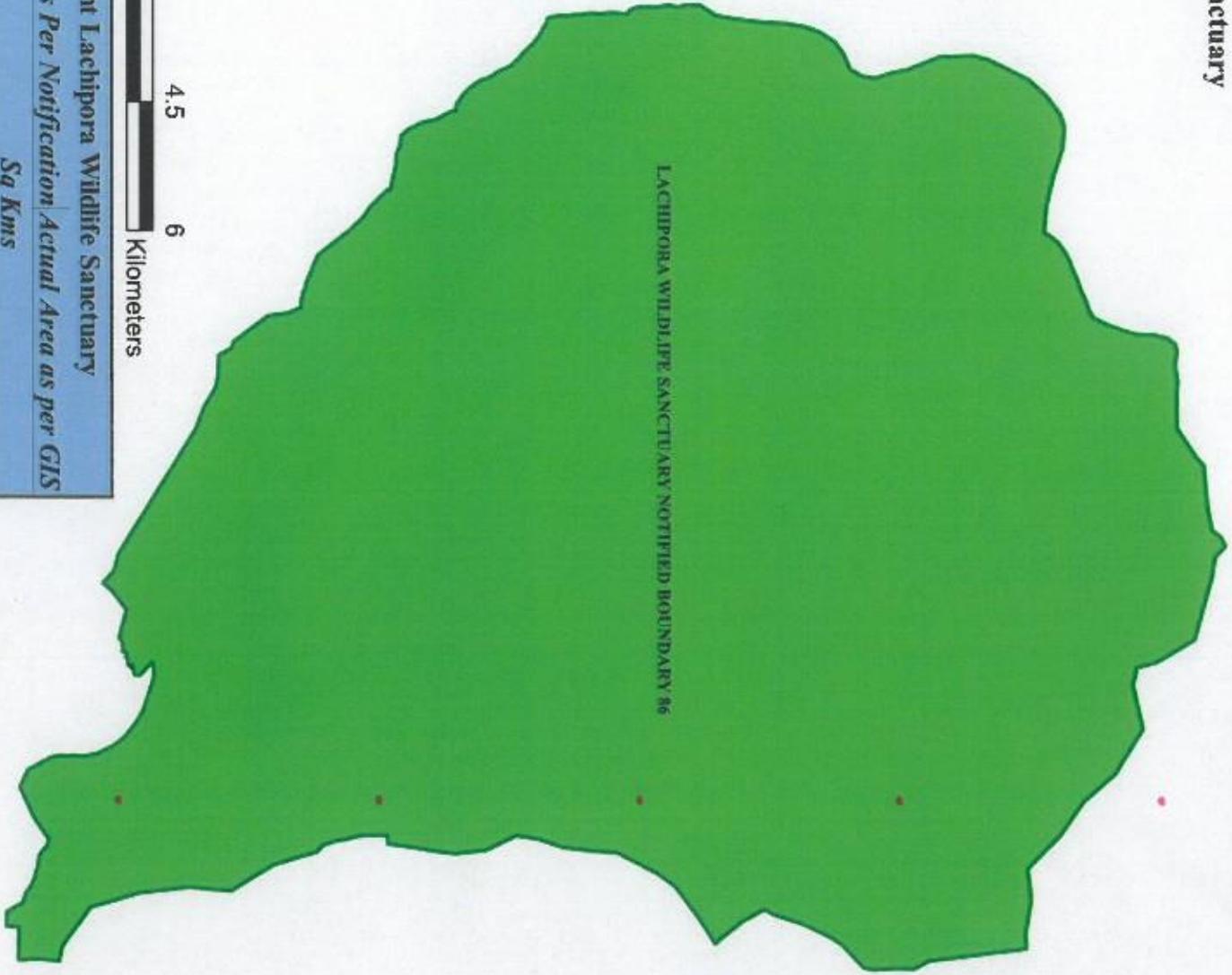


POWERS 5

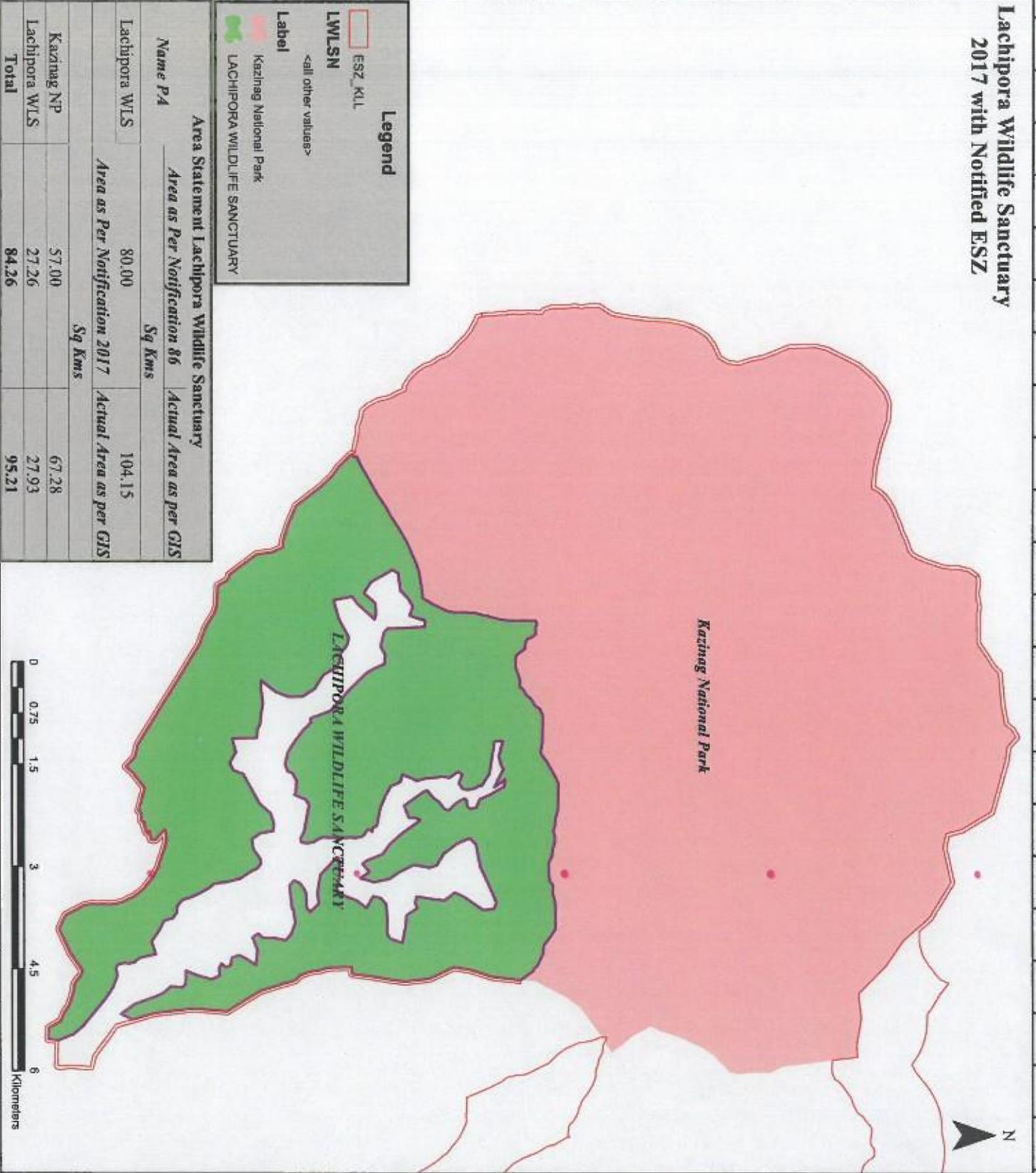
Lachipora Wildlife Sanctuary Notified 1986



Area Statement Lachipora Wildlife Sanctuary	
<i>Name PA</i>	<i>Area as Per Notification/Actual Area as per GIS</i>
Lachipora WLS	80.00
	<i>Sq Kms</i>
	104.15



Lachipora Wildlife Sanctuary 2017 with Notified ESZ



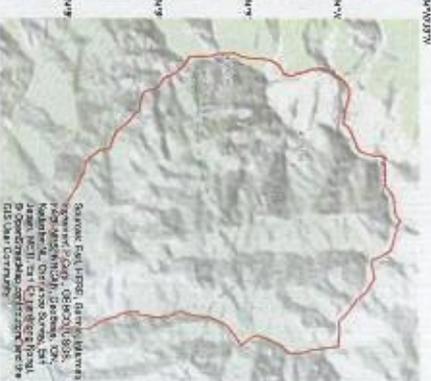
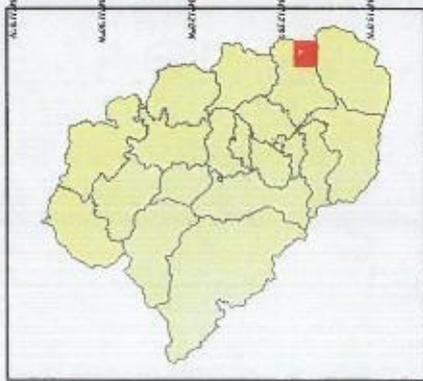
Area Statement Lachipora Wildlife Sanctuary			
Name PA	Area as Per Notification 86	Sq Kms	Actual Area as per GIS
Lachipora WLS	80.00		104.15
Area as Per Notification 2017		Sq Kms	Actual Area as per GIS
Kazing NP	57.00		67.28
Lachipora WLS	27.26		27.93
Total	84.26		95.21

Legend

- ESZ_KILL
- LWLSN
- <all other values>

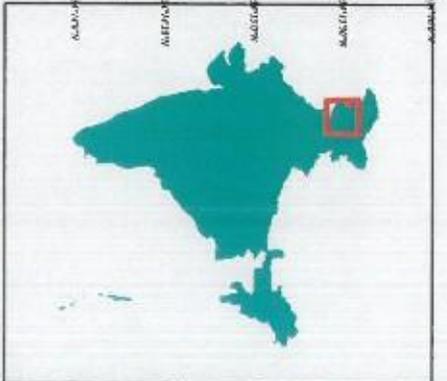
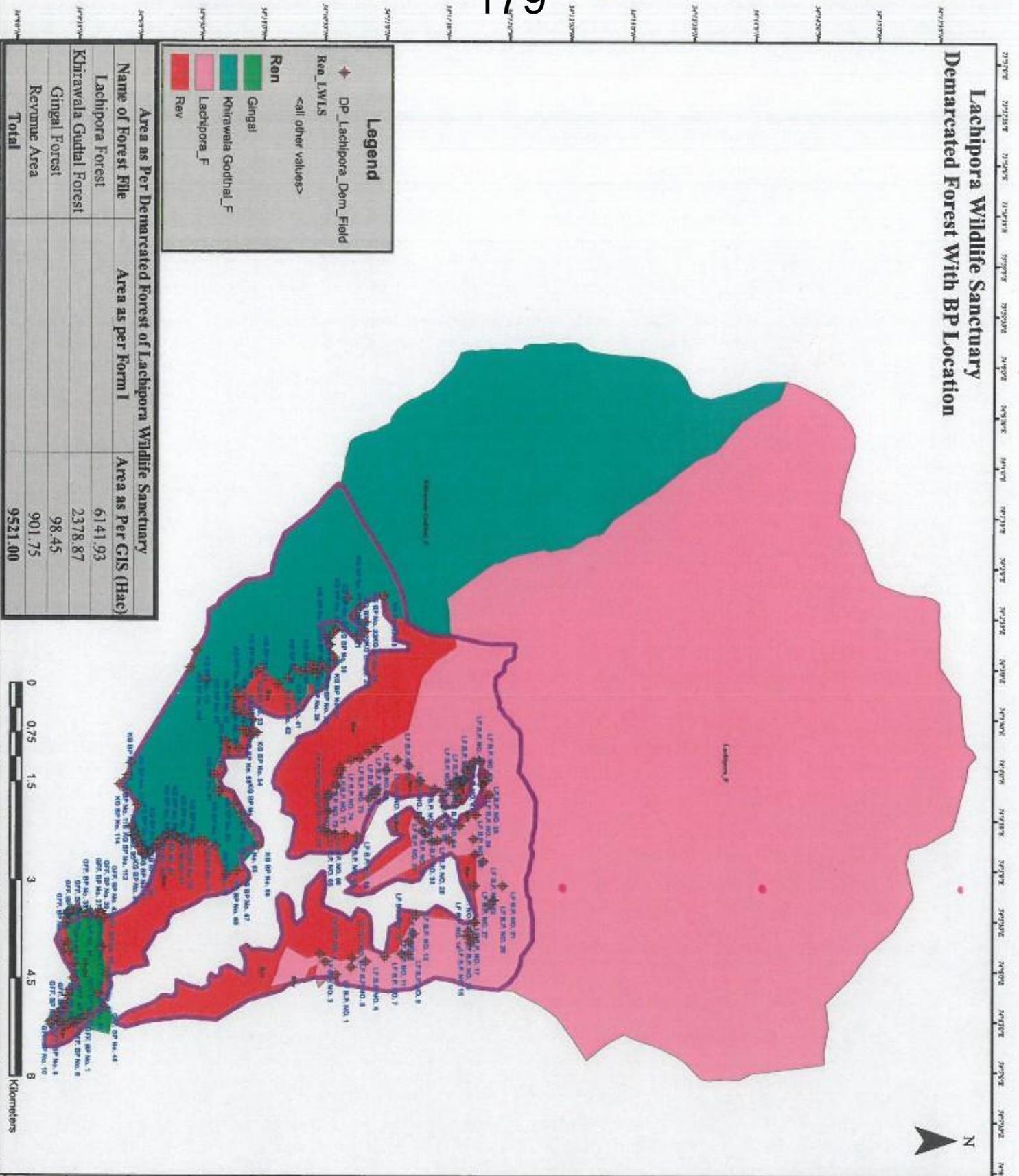
Label

- Kazing National Park
- LACHIPORA WILDLIFE SANCTUARY

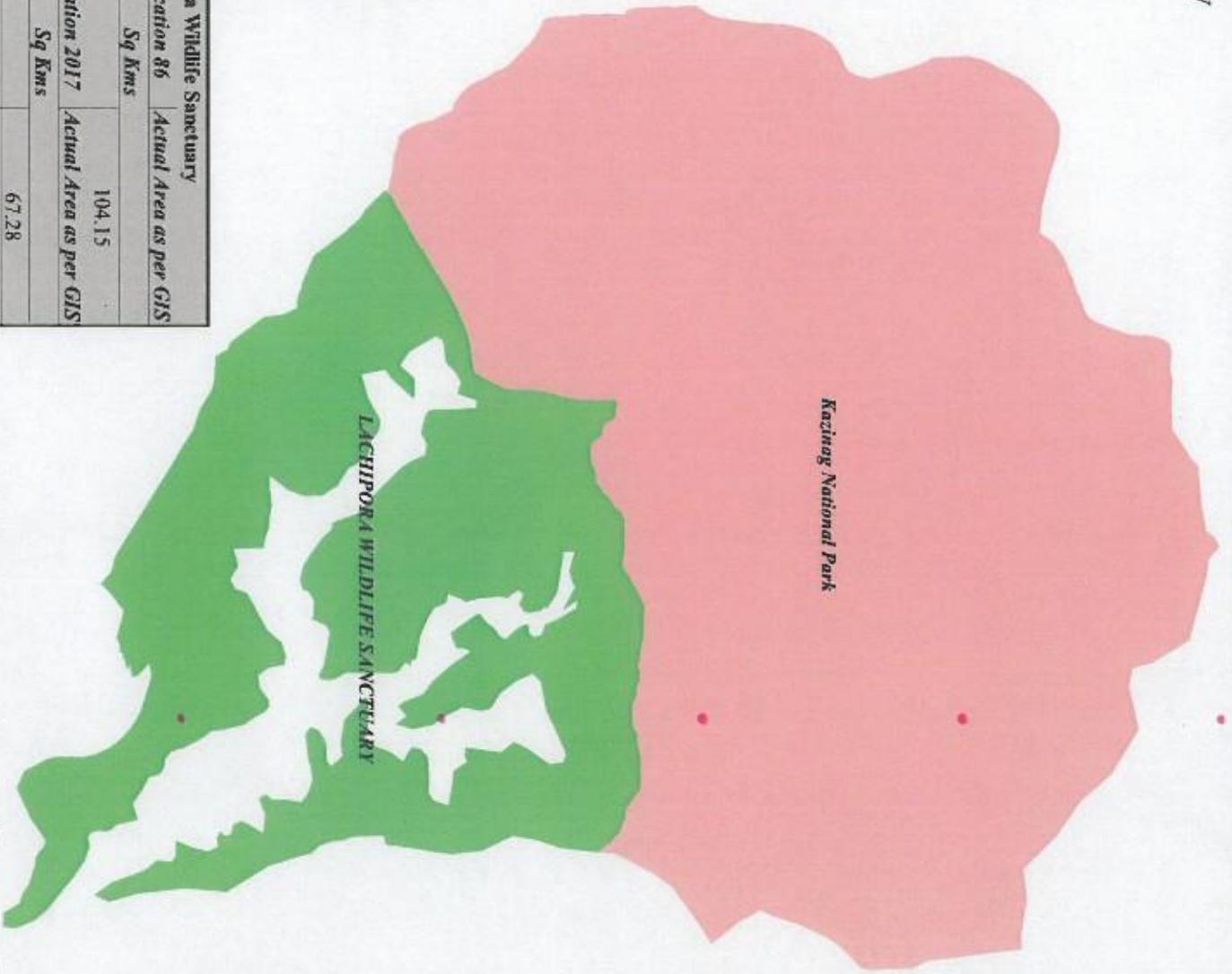


Source: Esri, DeLorme, Garmin, IGN, Intermap, iPC, NITRS, Esri, Swisstopo, GEBCO, USGS, AeroGRID, IGN, Esri, Swisstopo, Jammu & Kashmir Forest Dept. Digitized by Geo-Information Systems, Jammu & Kashmir Forest Dept.

Lachipora Wildlife Sanctuary Demarcated Forest With BP Location



Lachipora Wildlife Sanctuary 2017



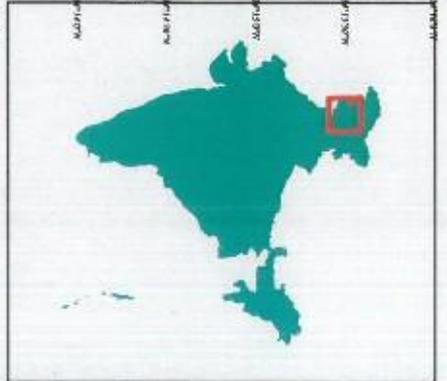
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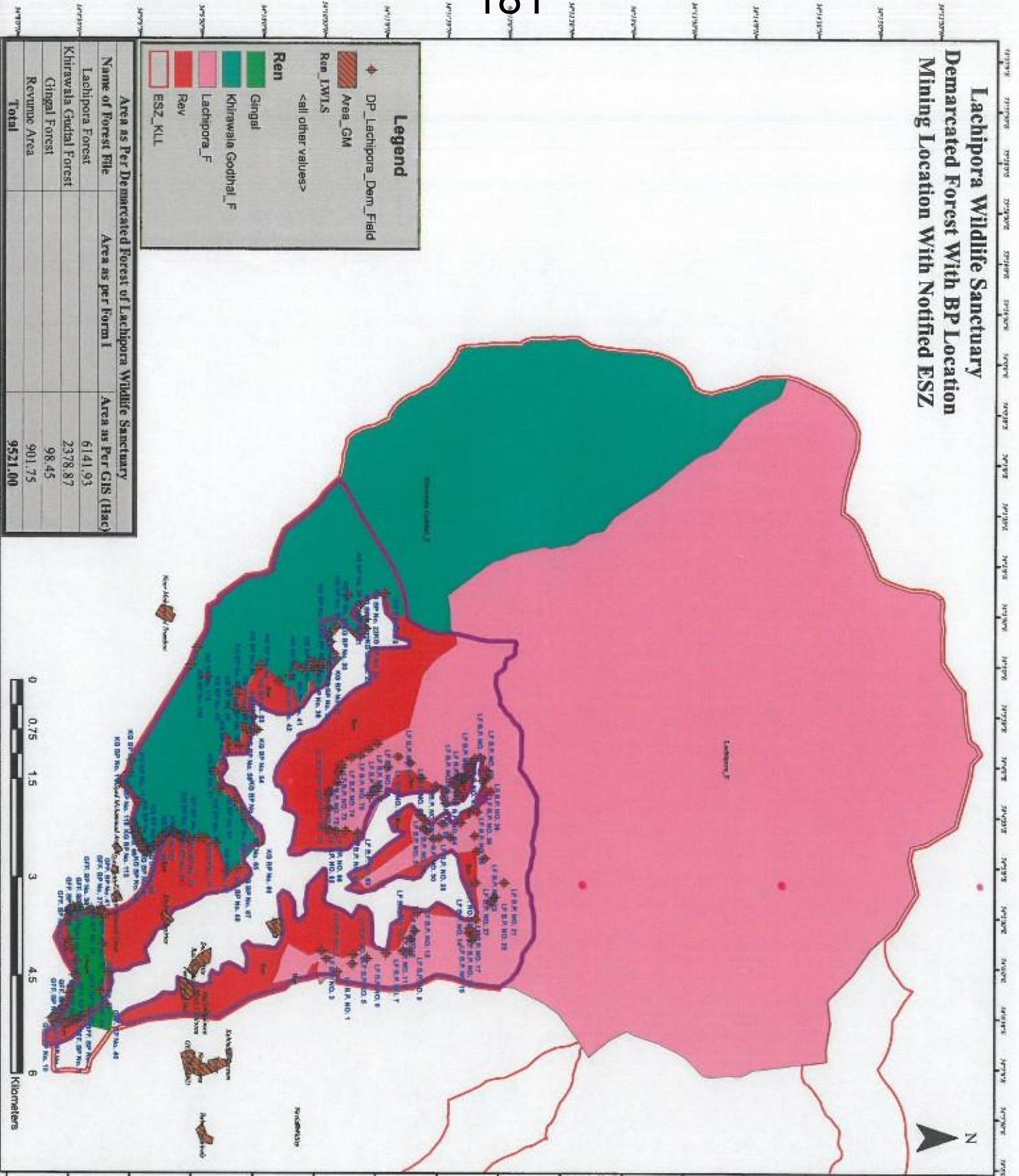
Label

- Kazirang National Park
- LACHIPORA WILDLIFE SANCTUARY

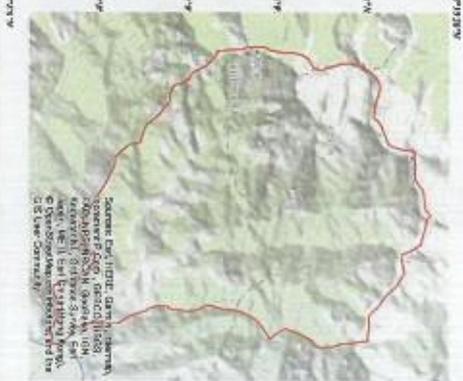
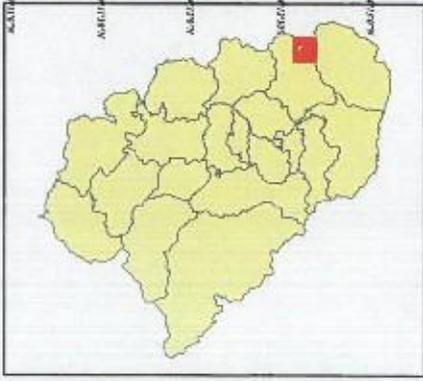
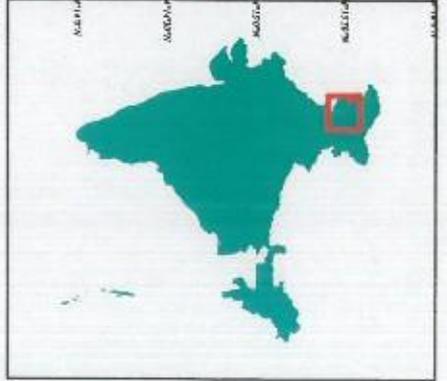
Area Statement Lachipora Wildlife Sanctuary			
Name PA	Area as Per Notification 86	Sq Kms	Actual Area as per GIS
Lachipora WLS	80.00		104.15
Area as Per Notification 2017		Sq Kms	Actual Area as per GIS
Kazirang NP	57.00		67.28
Lachipora WLS	27.26		27.93
Total	84.26		95.21



Lachipora Wildlife Sanctuary Demarcated Forest With BP Location Mining Location With Notified ESZ



Area as Per Demarcated Forest of Lachipora Wildlife Sanctuary		Area as Per Form I	Area as Per GIS (Hac)
Name of Forest File			
Lachipora Forest			6141.93
Khirawala Godhal Forest			2378.87
Gingal Forest			98.45
Revunna Area			901.75
Total			9521.00



Source: Dr. H.D. Gaur, Director, Government Geology, Jammu and Kashmir, 1988. Digitized by the Department of Geology, Jammu and Kashmir, 2010. All rights reserved. © Department of Geology, Jammu and Kashmir, 2010.



Government of Jammu and Kashmir
J&K POLLUTION CONTROL COMMITTEE
Jammu



Winter office-November-April
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Narwal, Jammu
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Summer Office- May-October
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email: membersecretaryjkspcb@gmail.com

ORDER No. : 29 JKPCC of 2024
DATED : 01/02/2024

Whereas, M/s Kohinoor Gypsum, Bagna Uri Baramulla has applied for consent from the JKPCC as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities".

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

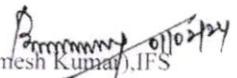
Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India and to the detriment of human health and environment.

Now, therefore, in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, and in this behalf, the following directions are hereby issued:-

- Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s Kohinoor Gypsum, Bagna Uri Baramulla closed immediately.
- Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said Mining Activity, if procured
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. M/s Kohinoor Gypsum, Bagna Uri Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.


(K Ramesh Kumar), IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/ 669 /024 /1272-1279
Dated:- 01/02/2024.

Copy to the:-

- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information with the direction to follow up and get the closure order implemented through District Administration in letter and spirit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- Prop. M/s Kohinoor Gypsum, Bagna Uri - Baramulla & Compliance.



Winter office-November-April
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Government of Jammu and Kashmir
J&K POLLUTION CONTROL COMMITTEE
Jammu



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email: membersecretaryjkspcb@gmail.com

ORDER No. : 230 JKPC of 2024
DATED : 01/02/2024

Whereas, Consent for Mining Activity was issued to M/s New Sigma Industries Bagna Uri-Baramulla as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities".

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

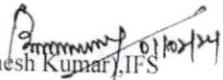
Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India and to the detriment of human health and environment.

Consequent upon the above, the consent granted to M/s New Sigma Industries Bagna Uri Baramulla is hereby withdrawn with immediate effect and in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, in this behalf, the following direction are hereby issued:-

- Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s New Sigma Industries Bagna Uri closed immediately.
- The Executive Engineer, KPDCL Electric Division Baramulla is directed to disconnect the electric supply to the above said Mining Activity, if procured.
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. M/s New Sigma Industries Bagna Uri Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.


(K Ramesh Kumar), IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK 369 /024 /1280-1287

Dated:- 01/02/2024.

Copy to the:-

- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- Prop, M/s New Sigma Ind. Bagna - for compliance.



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Jammu



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email: membersecretaryjkspcb@gmail.com

ORDER No. : 231 JKPC of 2024
DATED : 01/02/2024

Whereas, Consent for Mining Activity was issued to M/s GEE EMM Bagna Uri- Baramulla as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities".

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question is not permitted as per the directions of Hon'ble Supreme Court of India.

Consequent upon the above, the consent granted to M/s GEE EMM Bagna Uri Baramulla mulla is hereby withdrawn with immediate effect and in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, immediate closure of Mining Activity under the name and style of M/s GEE EMM Bagna Uri Baramulla is ordered, in this behalf, the following direction are hereby issued:-

- i). Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s GEE EMM Bagna Uri -Baramulla closed immediately.
- ii). Executive Engineer, KPDCL Electric Division, Baramulla, is directed to disconnect the electric supply to the above said mining activity, if procured.
- ii). Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be
- iii). Prop. M/s GEE EMM Bagna Uri -Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.


(K Ramesh Kumar), IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/ 669 /024/1288-1295

Dated:- 01/02/2024.

Copy to the:-

- i). PCCF/Chief Wildlife Warden J&K for information and necessary action.
- ii). Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- iii). Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- iv). Director Geology and Mining Department, Kashmir for information and necessary action.
- v). Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action.
- vi). Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter and spirit.
- vii). In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- viii). Prop, M/s GEE EMM Bagna Uri -Baramulla for compliance.



Government of Jammu and Kashmir
J&K POLLUTION CONTROL COMMITTEE
Jammu



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Rajbagh Srinagar
Ph/Fax 0194-2311165

email: membersecretaryjkspcb@gmail.com

ORDER No. : 232 JKPC of 2024
DATED : 01/02/2024

Whereas, Consent for Mining Activity was issued to **M/s Tower Chemical Bagna Uri - Baramulla**, and the unit holder has failed to renew the consent as warranted under **Section 25/26** and **Section 21** of the **Water (Prevention and Control of Pollution) Act 1974** and **Air (Prevention and Control of Pollution) Act, 1981** respectively.

Whereas, **Mining Activity** is categorized as **Orange Category** activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. **29-02-2023** in WPC No. **2649/2022** titled **M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors.** has directed for demarcation of **Lachipora Wildlife Sanctuary**.

Whereas, the Hon'ble High Court has further observed that **"in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities"**.

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed **"that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to"**.

Whereas, Wildlife Warden, North Kashmir Division **Sopore** vide letter No. **WLW(N)/Estt/2023-24/210-11** dt. **22-01-2024** has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. **RWL/K/Legal/2023-24/278-79** dt. **25-01-2024**.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India.

Now, therefore, in exercise of powers vested in the J & K Pollution Control Committee under **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981** and **Section 33(A)** of the **Water (Prevention and Control of Pollution) Act, 1974**, in this behalf, the following directions are hereby issued:-

- Deputy Commissioner/ District Magistrate, **Baramulla** is directed to get the Mining activity under the name and style of **M/s Tower Chemical Bagna Uri - Baramulla** closed immediately.
- Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said Mining Activity, if procured
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. **M/s Tower Chemical Bagna Uri - Baramulla** is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.

(K Ramesh Kumar, IFS)
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/ 669/024/1296-1303
Dated:- 01/02/2024.

Copy to the:-

- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- Prop. **M/s Tower Chemicals Bagna Uri - Baramulla** for compliance.



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Ph/Fax 0194-2311165

email: membersecretaryjkspcb@gmail.com

ORDER No. : 233 JKPC of 2024
DATED : 01/02/2024

Whereas, Consent for Mining Activity was issued to M/s **Baba Chemicals, Bagna Uri- Baramulla** as warranted under **Section 25/26** and **Section 21** of the **Water (Prevention and Control of Pollution) Act 1974** and **Air (Prevention and Control of Pollution) Act, 1981** respectively.

Whereas, **Mining Activity** is categorized as **Orange Category** activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. **29-02-2023** in WPC No. **2649/2022** titled **M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors.** has directed for demarcation of **Lachipora Wildlife Sanctuary**.

Whereas, the Hon'ble High Court has further observed that **"in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities"**.

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed **"that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to"**.

Whereas, Wildlife Warden, North Kashmir Division **Sopore** vide letter No. **WLW(N)/Estt/2023-24/210-11** dt. **22-01-2024** has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. **RWL/K/Legal/2023-24/278-79** dt. **25-01-2024**.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India.

Consequent upon the above, the consent granted to M/s **Baba Chemicals, Bagna Uri Baramulla** is hereby withdrawn with immediate effect and in exercise of powers vested in the J & K Pollution Control Committee under **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981** and **Section 33(A)** of the **Water (Prevention and Control of Pollution) Act, 1974**, in this behalf, the following direction are hereby issued:-

- i). Deputy Commissioner/ District Magistrate, **Baramulla** is directed to get the Mining activity under the name and style of **M/s Baba Chemicals Bagna Uri -Baramulla** closed immediately.
- ii). Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said Mining Activity, if procured
- iii). Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- iv). Prop. **M/s Baba Chemicals, Bagna Uri -Baramulla** is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.


(K Ramesh Kumar) IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/ 669 /024/1304-1311
Dated:- 01/02/2024.

Copy to the:-

- i). PCCF/Chief Wildlife Warden J&K for information and necessary action.
- ii). Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- iii). Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- iv). Director Geology and Mining Department, Kashmir for information and necessary action.
- v). Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- vi). Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- vii). In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- viii). Prop. **M/s Baba chemicals, Bagna Uri -Baramulla** for compliance



Government of Jammu and Kashmir
J&K POLLUTION CONTROL COMMITTEE
Jammu



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Ph/Fax 0194-2311165

email: membersecretaryjkspcb@gmail.com

ORDER No. : 234 JKPCC of 2024
DATED : 01/02/2024

Whereas, Consent for Mining Activity was issued to M/s Jehlum Valley Gypsum, Dara Gutliya - Baramulla as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities".

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

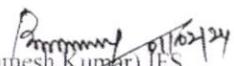
Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question cannot be allowed to run with above status as per the directions of Hon'ble Supreme Court of India and to the detriment of human health and environment.

Consequent upon the above, the consent granted to M/s Jehlum Valley Gypsum, Dara Gutliya Baramulla is hereby withdrawn with immediate effect and in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, in this behalf, the following directions are hereby issued:-

- Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s Jehlum Valley Gypsum, Dara Gutliya -Baramulla closed immediately.
- Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said mining activity, if procured.
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. M/s Jehlum Valley Gypsum, Dara Gutliya -Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.


(K Ramesh Kumar), IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/ 669 /024/1312-1319
Dated:- 01/02/2024.

Copy to the:-

- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.

v/r) prop Jehlum valley



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Government of Jammu and Kashmir
J&K POLLUTION CONTROL COMMITTEE
Jammu



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email: membersecretaryjkspcb@gmail.com

ORDER No. : 235 JKPC of 2024
DATED : 01/02/2024

Whereas, M/s Syed Mohd Irshad, Dara Gutliya - Baramulla has failed to obtain consent from the JK Pollution Control Committee as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities".

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India.

Now therefore, in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, in this behalf, the following direction are hereby issued:-

- Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s Syed Mohd Irshad, Dara Gutliya -Baramulla closed immediately.
- Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said mining activity, if procured.
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. M/s Syed Mohd Irshad, Dara Gutliya -Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.

(K Ramesh Kumar, IFS)
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/669/024/1320-1327

Dated:- 01/02/2024.

Copy to the:-

- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- Prop. M/s Syed Mohd Irshad, Dara Gutliya -Baramulla for compliance -



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Government of Jammu and Kashmir
J&K POLLUTION CONTROL COMMITTEE
Jammu



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ORDER No. : 236JKPCC of 2024

DATED : 01/02/2024

Whereas, Consent for Mining Activity was issued to M/s Syed Mohd Tahir, Dara Gutliya - Baramulla as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities.

Whereas, Hon'ble Supreme Court in its order dated 3rd June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India.

Consequent upon the above, the consent granted to M/s Syed Mohd Tahir, Dara Gutliya Baramulla is hereby withdrawn with immediate effect and in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, in this behalf, the following direction are hereby issued:-

- Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s Syed Mohd Tahir, Dara Gutliya -Baramulla closed immediately.
- Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said Mining Activity, if procured
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. M/s Syed Mohd Tahir, Dara Gutliya -Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.


(K Ramesh Kumar), IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/ 669/024/1322-1335

Dated:- 01/02/2024.

Copy to the:-

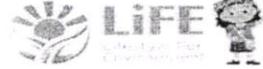
- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.



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ORDER No. : 237 JKPC of 2024
DATED : 01/02/2024

Whereas, Consent for Mining Activity was issued to **M/s Raz Chemical, Niloosa- Baramulla** and the unit holder has failed to renew the consent as warranted under **Section 25/26** and **Section 21** of the **Water (Prevention and Control of Pollution) Act 1974** and **Air (Prevention and Control of Pollution) Act, 1981** respectively.

Whereas, **Mining Activity** is categorized as **Orange Category** activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. **29-02-2023** in WPC No. **2649/2022** titled **M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors.** has directed for demarcation of **Lachipora Wildlife Sanctuary**.

Whereas, the Hon'ble High Court has further observed that **"in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities"**.

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed **"that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to"**.

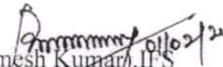
Whereas, Wildlife Warden, North Kashmir Division **Sopore** vide letter No. **WLW(N)/Estt/2023-24/210-11** dt. **22-01-2024** has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. **RWL/K/Legal/2023-24/278-79** dt. **25-01-2024**.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India.

Now, therefore, in exercise of powers vested in the J & K Pollution Control Committee under **Section 31 (A)** of the **Air (Prevention and Control of Pollution) Act, 1981** and **Section 33(A)** of the **Water (Prevention and Control of Pollution) Act, 1974**, immediate closure of Mining Activity under the name and style of **M/s Raz Chemical, Niloosa- Baramulla** is ordered and in this behalf, the following direction are hereby issued:-

- Deputy Commissioner/ District Magistrate, **Baramulla** is directed to get the Mining activity under the name and style of **M/s Raz Chemical, Niloosa- Baramulla** closed immediately.
- Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said Mining Activity, if procured
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. **M/s Raz Chemical, Niloosa- Baramulla** is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.


(K. Ramesh Kumar), IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/669/024/1336-1343

Dated:- 01/02/2024.

Copy to the:-

- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand spirit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- Prop. **M/s Raz Chemicals, Niloosa- Baramulla** for compliance



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ORDER No. : 238 JKPC of 2024
DATED : 01/02/2024

Whereas, Consent for Mining Activity was issued to M/s Snow White, Niloosa- Baramulla as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities".

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

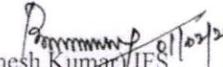
Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India.

Consequent upon the above, the consent granted to M/s Snow White, Niloosa- Baramulla is hereby withdrawn with immediate effect and in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, in this behalf, the following direction are hereby issued:-

- Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s Snow White, Niloosa- Baramulla closed immediately.
- Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said Mining Activity, if procured
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. M/s Snow White, Niloosa- Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.


(K Ramesh Kumar) IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/ 669/024/1344-1351
Dated:- 01/02/2024.

Copy to the:-

- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- Prop. M/s Snow White, Niloosa- Baramulla for compliance -



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Jammu



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email: membersecretaryjkpcb@gmail.com

ORDER No. : 229 JKPC of 2024
DATED : 01/02/2024

Whereas, Consent for Mining Activity was issued to M/s Neelam Valley Gypsum, Salama abad Dachina- Baramulla and the unit holder has failed to renew the consent as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities.

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India.

Now, therefore, in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, in this behalf, the following direction are hereby issued:-

- i). Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s Neelam Valley Gypsum, Salama abad Dachina- Baramulla closed immediately.
- ii). Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said Mining Activity, if procured.
- ii). Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- iii). Prop. M/s Neelam Valley Gypsum, Salama abad Dachina- Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.


(K Ramesh Kumar), IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/1669/024/1352-1359
Dated:- 01/02/2024.

Copy to the:-

- i). PCCF/Chief Wildlife Warden J&K for information and necessary action.
- ii). Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- iii). Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- iv). Director Geology and Mining Department, Kashmir for information and necessary action.
- v). Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- vi). Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- vii). In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- viii). Prop. M/s Neelam Valley Gypsum, Salama abad Dachina Baramulla



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ORDER No. : 240 JKPC of 2024
DATED : 01/02/2024

Whereas, M/s Noor Mohd Trumboo, Chhula- Baramulla has failed to obtain consent from the JK Pollution Control Committee as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Srinagar Wing vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities.

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question cannot be allowed to run with above status as per the directions of Hon'ble Supreme Court of India and to the detriment of human health and environment.

Now, therefore, in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, in this behalf, the following direction are hereby issued:-

- Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s Noor Mohd Trumboo, Chhula- Baramulla closed immediately.
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. M/s Noor Mohd Trumboo, Chhula- Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.

(K Ramesh Kumar) IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/ 669/024/1360-1367
Dated:- 01/02/2024.

Copy to the:-

- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- Prop. M/s Noor Mohd Trumboo, Chhula- Baramulla for compliance.



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ORDER No. : 249 JKPC of 2024
DATED : 01/02/2024

Whereas, M/s Khyber Industries, Jabador Bijhama- Baramulla has failed to obtain consent from the JK Pollution Control Committee as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities.

Whereas, Hon'ble Supreme Court in its order dated 3rd. June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

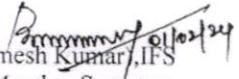
Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India .

Now, therefore, in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, in this behalf, the following direction are hereby issued:-

- Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s Khyber Industries, Jabador Bijhama - Baramulla closed immediately.
- Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said Mining Activity, if procured
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. M/s Khyber Industries, Jabador Bijhama - Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.


(K Ramesh Kumar), IFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSKT 669/024 /1368-1375

Dated:- 01/02/2024.

Copy to the:-

- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- Prop, M/s Khyber Industries Jabador Bijhama - Baramulla for Compliance -



Winter office-November-April
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ORDER No. : 242 JKPC of 2024

DATED : 01/02/2024

Whereas, M/s Kashmir Mineral Mills, Dara Gutliya- Baramulla has failed to obtain consent from the JK Pollution Control Committee as warranted under Section 25/26 and Section 21 of the Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act, 1981 respectively.

Whereas, Mining Activity is categorized as Orange Category activity on the basis of pollution potential, for the purpose of seeking the consent from the JK PCC.

Whereas, Hon'ble High Court of Jammu & Kashmir and Ladakh at Srinagar vide its order dt. 29-02-2023 in WPC No. 2649/2022 titled M/s Tower Chemicals and Ors Versus Union Territory of J&K & Ors. has directed for demarcation of Lachipora Wildlife Sanctuary.

Whereas, the Hon'ble High Court has further observed that "in case after said demarcation the mines of the mining holders are found to be situated within the prohibited zone/s, the mining holder shall forthwith stop from carrying out the mining activities.

Whereas, Hon'ble Supreme Court in its order dated 3rd, June, 2022 directed "that each protected forest, that is national park or wildlife sanctuary must have an ESZ of minimum one kilometre measured from the demarcated boundary of such protected forest in which the activities proscribed and prescribed in the guidelines of 9th February 2011 shall be strictly adhered to".

Whereas, Wildlife Warden, North Kashmir Division Sopore vide letter No. WLW(N)/Estt/2023-24/210-11 dt. 22-01-2024 has submitted list of Mining units falling within one kilometer of Lachipora Wildlife Sanctuary to the Deputy Commissioner Baramulla and same has been endorsed to JK Pollution Control Committee by the Regional Wildlife Warden Kashmir vide letter No. RWL/K/Legal/2023-24/278-79 dt. 25-01-2024.

Whereas, the Mining Activity in question is not permissible as per the directions of Hon'ble Supreme Court of India .

Now, therefore, in exercise of powers vested in the J & K Pollution Control Committee under Section 31 (A) of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, in this behalf, the following direction are hereby issued:-

- Deputy Commissioner/ District Magistrate, Baramulla is directed to get the Mining activity under the name and style of M/s Kashmir Mineral Mills, Dara Gutliya - Baramulla closed immediately.
- Executive Engineer, KPDCL, Electric Division, Baramulla is directed to disconnect the electric supply to the above said Mining Activity, if procured
- Director Geology & Mining Department, Kashmir is directed revoke the mining licence/permit for the Mining Activity as the case may be.
- Prop. M/s Kashmir Mineral Mills, Dara Gutliya - Baramulla is directed to cease the operation of the Mining activity forthwith.

As approved by the Competent Authority.

(K Ramesh Kumar), JFS
Member Secretary
JK PCC Jammu

No:-JK PCC/LSK/ 659/024/1376-1383

Dated:- 01/02/2024.

Copy to the:-

- PCCF/Chief Wildlife Warden J&K for information and necessary action.
- Deputy Commissioner/ District Magistrate Baramulla for information and necessary action.
- Regional Director, PCC, Kashmir for information and follow up action within fortnight.
- Director Geology and Mining Department, Kashmir for information and necessary action.
- Executive Engineer, KPDCL, Electric Division, Baramulla for information and necessary action
- Divisional Officer, PCC Baramulla for information, with the direction to follow up and get the closure order implemented through District Administration in letter sand sprit.
- In-Charge web site Pollution Control Committee Jammu for uploading the closure order.
- Prop, M/s Kashmir Mineral Mills, Dara Gutliya Baramulla for compliance