Item Nos.08 & 09 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 239/2024

News Item Titled "What Challenge are Kashmiri Wetlands Facing?" appearing in Kashmir Life dated 02.02.2024

Versus

Jammu and Kashmir Pollution Control Committee & Ors. Respondent(s)

WITH

Original Application No. 237/2026

News Item Titled "518 of 697 Lakes in J&K Either Vanished or Shrunk: CAG" appearing in the Hindu dated 07.04.2026.

Versus

Ministry of Environment, Forest and Climate Change & Ors. Respondent(s)

Date of hearing: 06.11.2026

CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Respondents: Mr. Gautam Singh & Mr. Shivam Jha, Advs. for UT of J&K
Dr. Gopinath, Member Secretary, J&K PCC (Through VC)
Ms. Nidhi Jaswal, Advocate for MoEF & CC (Through VC)
Mr. Vikrant Pachnanda, Advocate for CPCB in OA 239/2024 (Through VC)

ORDER

1. In this Original Application, the Tribunal is considering the issue of protection of wetlands in Kashmir.

2. In terms of the earlier order, the J&KPCC has filed the report on 01.10.2026 disclosing the details of the 27 wetlands with more than 1 hectare area outside the forest area. The said disclosure is incomplete as

the information in respect of wetlands in some of the districts is stated to be awaited. The disclosure so made by the J&KPCC in the above report is as under:-

"1. That copy of the newly identified district wise list of wetlands (27), with area >1 hac and outside forest area has been received from Director, Ecology, Environment and Remote Sensing. (Copy enclosed as Annexure 1).

2. That J&K PCC has requested concerned Deputy Commissioners to share the information regarding revenue area, sources of pollution and extent of encroachment of the newly identified wetlands falling under respective jurisdictions.

S. No.	*Deputy Commissioner*	*No. & Date*	*Annexure*
1	*Deputy Commissioner, Jammu*	*(i) JKPCC/NGT/OA 239-2024/26/2054-59;dated:30.05.2026 (ii) JKPCC/NGT/OA 239-2024/26/2741-47;dated:22.06.2026 (iii) JKPCC/NGT/OA 239-2024/26/3184-90;dated:14.07.2026 (v) JKPCC/NGT/OA 239-2024/26/3674-80;dated:23.07.2026 (vi) JKPCC/NGT/OA 239-2024/26/4289-95;dated:24.08.2026 (vii)JKPCC/NGT/OA 239-2024/26/4514-21;dated:09.09.2026*	*2-7*
2	*Deputy Commissioner, Kathua*	*(i) JKPCC/NGT/OA 239-(2024/26) / 2060 - 65 dated: 30.05.2026 (ii) JKPCC/NGT/OA 239-2024/26/2748-53; dated: 22.06.2026 (iii) JKPCC/NGT/OA 239-2024/26/3191-96; dated: 14.07.2026*	*8-10*
3	*Deputy Commissioner, Samba*	*(i) JKPCC/NGT/OA 239-(2024/26) / 2066 - 71 dated:30.05.2026 (ii) JKPCC/NGT/OA 239-(2024/26) / 2760 - 65 dated: 22.06.2026 (iii) JKPCC/NGT/OA 239-(2024/26) / 3203 - 8 dated: 14.07.2026*	*11-13*

4	*Deputy Commissioner, Baramulla*	*(i) JKPCC/NGT/OA 239-2024/26/3246-51; dated:18.07.2026*	*14*
5	*Deputy Commissioner, Kupwara*	*(i) JKPCC/NGT/OA 239-2024/26/2078-83; dated:30.05.2026 (ii) JKPCC/NGT/OA 239-2024/26/2766-71; dated:22.06.2026 (iii) JKPCC/NGT/OA 239-2024/26/3197-3202; dated14.07.2026 (iv) JKPCC/NGT/OA 239-2024/26/3690-95; dated:25.07.2026 (v) JKPCC/NGT/OA 239-2024/26/4296-4301; dated 24.08.2026 (vi) JKPCC/NGT/OA 239-2024/26/4522-27;dated:09.09.2026*	*15-20*

3. *That Regional Director, J&K PCC, Jammu/Kashmir was requested to share water quality analysis of the newly identified wetlands as per the District wise list of wetlands vide No. JKPCC/Sc./OA239-2024/26/1944-95; dated: 29.05.2026 followed by reminders vide No. JKPCC/SC./OA 239-2024/26/3079-87; dated: 08.07.2026, No. JKPCC/Sc./OA 239-2024/26/3169-77; dated: 14.07.2026 and No. JKPCC/Sc./OA 239-2024/26/3696-97; dated: 25.07.2026 (Copies enclosed as Annexure 21-24).*

4. *That Reply has been received from Deputy Commissioners, Baramulla, Kathua and Samba and is tabulated as under.*

S. No.	*DEERS ID*	*District*	*Name of the wetland*	*Revenue area (Ha)*	*Source of poltution*	*Extent of encroachment*
1	*1894*	*Bandipora (As per DEERS record falls in district Baramulla)*	*Rakh-I Dastipora*	*1.6*	*Wet land not existing on spot*	*Proprietary [and in estate Rakh-I Dastipora, used for paddy cultivation through Kamas*
2	*664*	*Kathua*	*Janglote*	*1.011*	*Nil*	*No encroachment*
3	*1209*	*Samba*	*Unnamed*	*1.09*	*Nil*	*Nil*
4	*1234*	*Samba*	*Unnamed*	*1*	*Nil*	*Nil*
5	*1263*	*Samba*	*Unnamed*	*1.011*	*Nil*	*Nil*
6	*1337*	*Samba*	*Ranjri Sar*	*1.055*	*Nil*	*Nil*
7	*1338*	*Samba*	*Rahiya Sar*	*1.051*	*Nil*	*Nil*

8	*1342*	*Samba*	*Gura Salathian Sar*	*1.009*	*Nil*	*Nil*
9	*1343*	*Samba*	*Mawa Sar*	*1.014*	*Domestic effluent*	*Nil*
10	*1359*	*Samba*	*Pati Talao*	*1.016*	*Nil*	*Nil*
11	*1374*	*Samba*	*Doghor*	*1.013*	*Nil*	*Nil*
12	*702*	*Jammu*	*Unnamed*	*Information awaited from Deputy Commissioner, Jammu*		
13	*720*	*Jammu*	*Unnamed*			
14	*800*	*Jammu*	*Unnamed*			
15	*863*	*Jammu*	*Unnamed*			
16	*886*	*Jammu*	*Unnamed*			
17	*1330*	*Jammu*	*Kalith Sar*			
18	*1352*	*Jammu*	*Gurd Keian Talao*			
19	*1354*	*Jammu*	*Kurwando*			
20	*1370*	*Jammu*	*Talao*			
21	*1421*	*Jammu*	*Sangani Sar*			
22	*1818*	*Kupwara*	*Unnamed*	*Information awaited from Deputy Commissioner, Kupwara*		
23	*1895*	*Kupwara*	*Chak Changri Sar*			
24	*1896*	*Kupwara*	*Tangchak sar*			
25	*1898*	*Kupwara*	*2*			
26	*1900*	*Kupwara*	*Boban Sar 1*			
27	*1901*	*Kupwara*	*Chak Nutnus 1*			

a) Highlights of the response submitted by Deputy Commissioner Baramulla is as under:

i. The said wetland, namely Rakh-i-Daslipora is not existing on spot

ii. Proprietory land in estate Rakh-i-Daslipora is being used for paddy-cultivation through Kamas.

b) Highlights of the response submitted by Deputy Commissioner, Kathua is as under:

i. No source of pollution has been reported in the wetland namely Janglote.

ii. No encroachment has been reported in the wetland.

c) Highlights of the response submitted by Deputy Commissioner Samba is as under:

i. No source of pollution has been observed in any of the wetlands except for Mawasar, where the source of pollution has been identified as domestic effluent.

ii. No encroachment has been observed in any of the wetlands.

5. That the reply is awaited from Deputy Commissioner, Jammu and Deputy Commissioner Kupwara.

6. That reply has been submitted by Regional Director, J&K PCC, Jammu vide his office No. PCC/RDJ/2026/1963-64; dated: 18.07.2026 (Copy enclosed as Annexure 25).

Highlights of the water quality analysis reports are briefed as under:

i. *Out of the 13 No. of identified locations 12 samples were collected, as 1 site in Samba is inaccessible as reported by Divisional Officer, J&K PCC Samba.*

S. No.	*District*	*Total Number of Samples received*	*Test Analysis result*
1	*Jammu*	*3*	*All 03 sampled do not meet the Class B (outdoor bathing) primary water quality criteria.*
2	*Kathua*	*1*	*The sample meets the Class B (outdoor bathing) primary water quality criteria.*
3	*Samba*	*8*	*Out of 9 samples only 2 meet the class B (outdoor bathing) primary water quality criteria.*
Total		*12*	

7. *That reply has been submitted by Regional Director, J&K PCC, Kashmir vide his office No. PCC/ROK/LS(NGT/OA-239-2024/2026/537-538 dated: 04.08.2026 (Copy enclosed as Annexure 26).*

Highlights of the report are briefed as under:

i. *In District Kupwara out of six wetlands four wetlands do not confirm to class B (outdoor Bathing -Organised) of primary water quality Criteria mainly in respect of BOD.*

ii. *Rakhi Duslipora wetland falling in District Baramulla do not confirm to class B (outdoor Bathing-Organised) of primary water quality Criteria in respect of BOD and Dissolved oxygen.*

S. No.	*District*	*Total Number of Samples received*	*Test Analysis result*
1	*Kupwara*	*6*	*Out of 6 wetlands 4 wetlands do not confirm to Class B (outdoor bathing-organized) for primary water quality criteria mainly in respect of BOD.*
2	*Baramulla*	*1*	*Rakhi Duslipora wetland falling in District Baramulla do not confirm to Class B (outdoor bathing) primary water quality criteria in respect of BOD and Dissolved oxygen.*
Total		*7*	

8. *That in order to take corrective, remedial and punitive action, in case of wetlands not conforming to the Class 'B' criteria for outdoor bathing, Regional Director, J&K PCC Jammu and Kashmir have been requested to share the name of the concerned person/agency/department responsible for violation of Environmental norms vide No. JKPCC/NGT/OA 239-2024/26/4101-06; 07.08.2026 and vide No. JKPCC/NGT/OA 239-2024/26/4098-4100; 07.08.2026 respectively followed by reminder vide No. JKPCC/NGT/OA 239-2024/26/4550-56; dated: 09.09.2026 and No. JKPCC/NGT/OA 239-2024/26/4557-64; dated: 09.09.2026 respectively. (Copy enclosed as Annexure 27-30).”*

3. The Member Secretary, J&KPCC submits that fresh updated report will be filed after obtaining the information from the Deputy Commissioner, Jammu and the Deputy Commissioner, Kupwara from where the information is still awaited.

4. A perusal of the above disclosure made in the report of the J&KPCC reveals that though the revenue area of the wetland has been disclosed but the existing area of the wetland has not been disclosed. Therefore, the J&KPCC will obtain the details concerning the existing area of the wetland also and will give the comparative position of the revenue area and the existing area of the wetland.

5. Let the fresh report be filed by the J&KPCC, keeping in view the observations made above at least one day before the next date of hearing.

6. List on 26.02.2027.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

November 06, 2026
Original Application No. 239/2024 with connected OA
Jg.