

**IN THE HIGH COURT OF JAMMU AND KASHMIR & LADAKH
AT SRINAGAR**

CJ Court

Case: PIL no. 8/2017

Environmental Policy Group

....petitioner(s)

Through: Mr. Shafqat Nazir, Adv. With
Mr. Nadeem Qadri, Advocate

v/s

Union of India and ors.

...respondent(s)

Through: Mr. T. M. Shamsi, ASGI for UOI
Ms. AsifaPadroo, AAG for UT
Mr. Irfan Andleeb, Dy. AG for I&FC

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

**ORDER
20.05.2022**

1. There are three Public Interest Litigations, namely, PIL no. 2/2014, Molvi Peer Noor-ul-Haq v. Chief Engineer and another, initiated expressing concern regarding embankment of river Jehlum and untreated sewerage water being flown into the River Jehlum. The other is PIL no. 18/2018 which was initiated by the Court of its own motion after the devastating floods of 2014 in the Valley so as to conserve the River Jehlum. The third is PIL no. 8/2017, Environmental Policy Group (EPG) v. Union of India and ors seeking directions upon the Union of India and the UT to frame and execute a comprehensive Jehlum restoration and prevention plans on scientific lines.

2. All other PILs are in respect of different subject matter i.e. PIL no. 2345/2006 is in connection with the preservation of Wular Lake and PIL no. 11/2017 is in respect of wet lands. These two PILs are separate and, as such, are directed to be de-linked with the other three PILs.

3. The first three PILs i.e. PIL no. 2/2014, 8/2018 and PIL no. 8/2017 henceforce shall be listed together in which PIL no. 8/2017 would be the leading case and order sheets shall be maintained in it with copies of the same on the other two PILs.

4. Shri T. M. Shamsi, learned Assistant Solicitor General of India, has pointed out that the Union of India has provided sufficient funds for the restoration and preservation of the river Jehlum and for control of the floods. This is reflected in the status report filed on behalf of respondent no. 1 on 13.01.2022.

5. Ms. Asifa Padroo, learned Additional Advocate General, appearing for the UT seeks time to submit an action taken report by the UT with regard to framing of any scheme of flood control and improvement of embankment of river Jehlum and to show how the funds sanctioned by the Union of India have been utilized for the purpose. She is directed to seek instructions from the Commissioner Secretary, Irrigation and Flood Control Department and file a status report on affidavit to be sworn by the Commissioner Secretary himself within a period of four weeks. In the event the action taken report is not filed within the aforesaid period, the Commissioner-Secretary would personally appear before the Court on the next date alongwith the record.

List on 22nd July, 2022.

(MOKSHA KHAJURIA KAZMI)
JUDGE

(PANKAJ MITHAL)
CHIEF JUSTICE

Srinagar
20.05.2022
YASMEEN, PS

