

**HIGH COURT OF JAMMU AND KASHMIR**  
**AT SRINAGAR**

PIL No.159/2002

Date of order: 18.09.2018

Syed Iqbal Tahir Geelani

v.

State of J&K and others.

**Coram:**

**HON'BLE THE CHIEF JUSTICE.**  
**HON'BLE MR JUSTICE DHIRAJ SINGH THAKUR, JUDGE.**

**Appearance:**

For the appellant(s) : Mr. Z. A. Shah, Sr. Advocate, Amicus Curiae,  
With Mr. Naved Gul, Advocate.  
For the respondent(s) : Mr B. A. Dar, Sr AAG.  
Dr . Abid Rashid Shah, VC, LAWDA,  
Present in person.

- i) Whether approved for reporting in Law journals etc.: Yes/No  
ii) Whether approved for publication in press: Yes/No

1. For convenience, we propose to sum-up previous orders passed by this Court in this public interest litigation from time to time which give a birds' eye view of the magnitude and multifacetedness of the problem which confronts the State of Jammu and Kashmir with regard to the Dal Lake. These orders also bring to the fore that despite this Court monitoring the matter since 2002, i.e., for over 16 years, despite over rupees Four Hundreds crores of public money being pumped into the issues by the Government, the authorities within the State have proved helpless and unable to effectively ensure that some meaningful outcome results. The proceedings in this public interest litigation

manifest that the matter has assumed criticality and that unless some time-bound efficient measures are ascertained and implemented the Dal Lake would be lost for ever to this State and the people of the State of Jammu and Kashmir.

2. On 18<sup>th</sup> August, 2015, a detailed order regarding the state of affairs came to be recorded by this Court while noticing the previous directions dated 19<sup>th</sup> July, 2002 and 23<sup>rd</sup> of March, 2009.

3. The order dated **18<sup>th</sup> of August, 2015**, for convenience is extracted as under: -

*“1. World famous Dal Lake, spreading over an area of 50 Sq. Kilometers half a century back has shrunk to 13.5 Sq. kilometers. We have thus lost a little less than 3/4<sup>th</sup> of Dal Lake during last few decades. Significant decrease in area of Dal Lake is mainly attributable to illegal constructions and encroachments because of such construction. A large area of Lake has been eaten up by ever expanding neighborhoods and commercial buildings like hotels, guest houses and restaurants. Lackadaisical approach on part of law enforcing agencies has emboldened land mafia, tress-passers and encroachers to undertake earth filling of peripheries of Lake resulting in further decrease in its area.*

2. *In the above background one of the **directions issued** by this court on **19-07-2002**, when plight of Lake was brought to its notice through a letter treated as PIL, focused on construction activities, not only in the Lake area but within 200 meters from the centre of Foreshore road. The directions reads as under:*

*i. **“iii..... We direct that within 200 meters from the centre of the foreshore road, wherever the road has been constructed no erection of buildings shall be***

*allowed. We further direct that in these areas no changes will be made in the buildings as it exists today. We are informed that up to 1000 meters no erection of buildings is permitted at several places in these/restricted area, in view of regulations, and therefore, wherever more area is prescribed by the development authorities in the master plan, forbearing erection of buildings no building activities whatsoever shall be permitted by the authorities concerned within such areas.*

*ii. It was further directed that*

*“...nobody will be permitted to erect the building within the restricted or greenbelt area. It will be duty of the authorities to point out to the Tribunal exercising jurisdiction about the restriction imposed by law within the object and in view of the Supreme Court judgment the water bodies and greenbelts are required to be maintained as it is. If any permission is granted within the prohibited or restricted area that would be contrary to the decision of the Apex Court and principles of public trust. Therefore, no permission should be granted within the prohibited restricted area. We are sure that the Tribunal exercising power shall keep these aspects in mind. It is the duty of all concern to see that in view of restriction imposed for erection of building near the water bodies to protect ecological balance and environment, no one is allowed to erect or to occupy the building. The respondents, having the jurisdiction over*

*their respective areas shall report to this court about the action taken.”*

3. *The Court, later to ensure that directions dated 19-7-2002 were followed in letter and spirit **banned transportation of building material in the area** except with the permission of the concerned authorities.*

4. *The directions were, mostly observed in breach. The orders passed from time to time did not evoke desired response from the authorities and in particular the officers of the Lakes and Water Ways Development Authority (LAWDA). The **court** was, therefore, left with no option **but to take Dal lake in its own control and declare it Custodia Legis**. The relevant part of the order dated 23.3.2009, may be noticed:*

2. *We therefore, from this date **taken these lakes in our custody on behalf of the people and**, accordingly, direct the State Government to **publish a notification to that effect for information of general public and all concerned**. Consequentially, **everyone associated with the management, preservation and development of these water bodies are also directly answerable to us**. Since, these water bodies from today become custodial egis, it is imperative on our part to **know the exact area of these water bodies**.*

5. *The above direction, **enhances the responsibility taken upon itself by this Court, to take effective steps for preservation of Lake and adjoining areas**.*

6. *The applications on hand bring to notice apathy and indifference on part of the officers and officials of LAWDA towards implementation of court directions given from time to time for stopping constructions within Dal Lake and 200 meter area within its periphery. In MP No. 05/2015 constructions raised by respondent no. 8 with connivance of the official respondents is brought to the notice of the court. Report submitted by court Commissioner in CMP No. 1209/2013 highlights constructional activity noticed by the commissioner in prohibited area, without any response from LAWDA officials. Applicant in CMP no. 2896/2014 seeks demolition of constructions raised by one Ghulam Mohammad Chakoo in foreshore area of Dal Lake.*

7. *The respondents have not come up with the convincing response to the complaints received. Against the above backdrop we are of the view that prevention of construction activity in Dal Lake and within 200 meters from the edge of Foreshore road and other adjoining prohibited areas cannot be left exclusively to officers and officials of LAWDA. In the first place violation if any of court directions was in light of **the order dated 23-3-2009**, brought to the notice of the court so that necessary action was taken against the violators. Secondly the authorities ought to have swung into action on their own and submitted the action taken report. However, due to **lack of commitment on part of concerned officers**, such matters are left to be brought to the court by general public. It is a fact of common knowledge that such illegal activities evoke little or no response from the general public. **A person espousing public cause apprehends a retaliatory action from the violator.***

8. *Against the above backdrop, we are of the view that **two independent and impartial Court “Vigilance Commissioners”***

*preferably with administration of justice and law enforcement background need to be appointed to keep vigil and regularly report to the Court construction activity if any undertaken in the Lake and adjoining areas so that action warranted is taken without any delay.*

9. *For the reasons discussed hereinabove we appoint S/Shri Mohammad Shafi Khan, retired District and Sessions Judge (former Principal District and Sessions Judge, Srinagar) and Mr. Abdul Hamid Bhat, former senior Superintendent of Police and Director Security Kashmir University as Court “(Vigilance Commissioners).*

10. *The Commissioners shall inspect the Dal Lake area, as far as possible on daily basis and submit weekly report to the Registrar Judicial, High Court Wing Srinagar indicating therein, construction activity if any undertaken within Dal Lake and prohibited area, with necessary details like identity of the violator, nature of the construction and its dimensions etc.*

11. *The Commissioners shall also report violation of any of the directions dated 19-07-2002, and passed thereafter like transportation of building material, earth filling, release of untreated effluents by any commercial establishment into Dal Lake.*

12. *The Registrar Judicial, on receipt of the report shall place it before the Bench having due regard to the gravity of the violation reported and urgency involved.*

13. *The Vice Chairman LAWDA shall provide the Commissioners reasonable office space within LAWDA Complex and services of at least one steno typist and orderly and also provide transport facilities like Motor Boat etc. so that they are in a position to discharge their duties without any difficulty or impediment.*

14. *Each Commissioners shall be paid an amount of Rs. 30,000/- per month as honorarium, by Vice Chairman LAWDA. They shall in*

*the first instance inspect alleged violation identified in the applications in hand and submit their report.*

*Copy of the order be forwarded to all concerned.”*

**(Emphasis by us)**

4. Inasmuch as not much was happening, on **16<sup>th</sup> April, 2016**, the then Chief Secretary of the State who was present before this Court along with other officers in terms of the court directions, assured this Court that a permanent mechanism will be put in place for preserving and protecting the World-Famous Dal Lake and monitoring and overseeing Committees would be constituted by issuing executive order which would be headed by the Chief Secretary of the State.

5. Pursuant to the said assurance, **State Government order dated 27.04.2016** came to be passed and a Monitoring Committee, comprising of the following members, for preservation and protection of the Dal Lake, was constituted:

1.	<i>Chief Secretary, J&amp;K</i>	<i>Chairman</i>
2.	<i>Financial Commissioner, Planning &amp; Development Department.</i>	<i>Member</i>
3.	<i>Director General of Police, J&amp;K</i>	<i>Member</i>
4.	<i>Principal Secretary to the Government, Forest Department.</i>	<i>Member</i>
5.	<i>Divisional Commissioner, Kashmir</i>	<i>Member</i>
6.	<i>Commissioner/ Secretary to the Government, Finance Department.</i>	<i>Member</i>
7.	<i>Commissioner/ Secretary to the Government, Housing &amp; Urban Development Department.</i>	<i>Member</i>
8.	<i>Commissioner/ Secretary, Department of Law, Justice &amp; Parliamentary Affairs.</i>	<i>Member</i>
9.	<i>Inspector General of Police, Kashmir.</i>	<i>Member</i>
10.	<i>Secretary to the Government, Tourism Department.</i>	<i>Member</i>
11.	<i>Vice Chairman, Lakes and Waterways Development Authority.</i>	<i>Member Secretary. “</i>

6. This order was followed by another **Government order dated 19<sup>th</sup> May, 2016**, whereby Mr. Zaffar Ahmad Shah, Senior Advocate (Amicus Curiae) was coopted as one of the members of the Monitoring Committee.

7. Despite all of the above, the situation of the Dal Lake continues to regress and the position remains dismal.

8. A report stands published in the daily English newspaper “The Kashmir Monitor”, on 7<sup>th</sup> September, 2018, captioned “*Each day, 73% of 201 million liters of sewage in Srinagar goes untreated into Dal, Jhelum*”. This report was directed to be treated as an application in the present PIL which stands registered as **IA No.65/2018**.

9. The matter was taken up on **10<sup>th</sup> September, 2018**, when we recorded as follows: -

*“2. This PIL has engaged the attention of this Court for a period of almost 16 years. The order sheet in the case runs into 13 volumes. A cursory examination thereof would show that the repeated agony has been expressed by the Division Benches with regard to the failure as well as inability of the respondents to take effective steps for discharging their constitutional statutory as well as public law responsibilities.*

**3. Amongst others, we find that the following issues concerning the health of the lake have been noted in the course of proceedings: -**

- i. Uncontrolled development of weeds in the lake suffocating the same.*
- ii. Untreated sewage flowing into the lake from the surrounding areas.*
- iii. Untreated sewage being released into the Dal Lake from the houseboats which are anchored in the lake.*



- iv. *Lack of sufficient oxygen in the lake which discourages fish and other organisms to survive therein.*
- v. *Negative impact on account of dwellers on the lake which can be addressed only by their re-settlement and rehabilitation.*
- vi. *Complaints regarding propriety as well as adequacy of the measures by the State are to be found.*
- vii. *Catchment area of the Lake getting show on account of inter alia, growth of encroachments and unwarranted constructions.*
- viii. *Requirement of protection of streams which supply the waters of the Dal Lake.*
- ix. *Loss of depth of the Dal Lake and effective measures for its dredging/restoration of the depth & its maintenance*

4. *Inasmuch as Mr. Z. A. Shah, learned Amicus Curiae and other learned counsels are not available, we will consider the steps taken by the respondents on these aspects on the next date of hearing.*

5. *On the next date of hearing, we shall be informed as to what has been the fate of the relocation and the rehabilitation by the State, whether persons who have been given resettlement allotments have moved to the resettlement sites and the State has been able to retrieve the land where from they were resettled.*

6. *We shall be informed by the Director Fisheries and the Wildlife Department about the fish population and other lake organisms which used to be found in the Dal Lake when it was still healthy and as are to be found today.*

7. *Mr. Dar, learned Sr. AAG shall inform us about the relevant authority so far as the **bird population** which was thriving on account of the Dal Lake as well on the next date.*

8. *Mr. Dar, learned Sr. AAG will specifically inform us about the **public funds** which has been spent by the Central Government and the State Government on projects relating to the Dal Lake since when the first order was passed in PIL No. 159/2002. Mr. Dar, learned Sr. AAG shall list out the projects for which the disbursement was made; the date thereof and the amount thereof; the date of completion of the work as per its award to an agency and the present status by the next date of hearing.*

9. *Court orders for the last sixteen years have been of no avail as the respondents do not appear to have addressed any issue sufficiently to have made any significant impact. This is despite appointment of an Expert Committee and its recommendations. It would appear that a High Level Expert Committee is required to monitor the steps relating to the restoration and preservation of the Dal Lake and their completion.”*

**(Emphasis supplied)**

10. Mr. Shah, learned Amicus, has drawn our attention to the minutes of the meeting of the Monitoring Committee constituted for preservation and conservation of Dal-Nigeen Lake held on **28<sup>th</sup> of August, 2018**, in which one of the agenda included “*Formulation of comprehensive legal frame work for the enactment of a strong legislation for preservation of all water bodies in the State of J&K*”.

11. These Minutes note that the legislation which stood already proposed would be finalized by 15<sup>th</sup> October, 2018. It is expected that this decision and timeline would be adhered to.

12. Pursuant to these directions dated 10<sup>th</sup> September, 2018, a compliance report dated 14<sup>th</sup> September, 2018, was filed before us by Dr Abid Rashid Shah, Vice Chairman, J&K Lakes & Waterways Development Authority (LAWDA).

13. We were not satisfied with the report and accordingly, by our order dated **17<sup>th</sup> of September, 2018**, directed the authorities to place a further statement with regard to the fate of the funds received from the Central Government and their disbursement and utilization from the year 2002 till date.

14. Pursuant thereto, a compliance report dated 18<sup>th</sup> of September, 2018, has been filed in which we find that time has been sought to respond to the enquiry regarding details of the persons who were required to be rehabilitated. However, the said report suggests that even a “Vision Document” has not been finalized on account of the author of the document an expert from IIT-Roorkee failing to participate in the deliberations. The authorities are now contemplating legal action against the author. To say the least, this aspect by itself speaks volumes about the manner in which work with regard to rehabilitation and restoration of Dal Lake has been impeded.

15. The orders passed in this PIL runs into volumes. Over four hundred crores of rupees have pumped into the issues relating to the Dal Lake by the Govt. of India. The authorities of the State claim to have spent Rs.359.93 crores from 2002-03 to 2018/19 ending 08/2018 with nothing to show for it as so far nothing appears to have happened on ground. We are of the view that given position on the ground, deserves to be investigated. However, saving the Dal Lake being more critical, we shall defer this issue as at present.

16. We have no manner of doubt that immediate measures are necessary before the critical situation is rendered hopeless. The record of the case and the above narration always manifest that local experts are unable to contain the

malaise that besets the Dal Lake. It is, therefore, necessary to have an Expert Committee with, most importantly the vision and the experience of having successfully undertaken projects and issues which involve wide spectrum, multi-dimensional, multi authority evaluations and resolutions. The three experts who come to our mind so far as these issues are concerned, who have dealt with it on national as well as multistate levels and made valuable contributions, which posterity shall cherish and celebrate are;-

- (i) Mr. Elattuvalapil Sreedharan, (IES Retd., Former Chairperson Delhi Metro Rail Corporation and Member, Mata Vaishno Devi Shrine Board).
- (ii) Dr Nivedita P. Haran, IAS (Retired), Former Additional Chief Secretary, Home Department, Govt. of Kerala.
- (iii) Mr M. C. Mehta, Renowned Environmentalist, who hails from the Jammu and Kashmir State.

17. We already have on record a Vigilance Committee appointed pursuant to the order dated 18<sup>th</sup> August, 2015 of this Court and Monitoring Committee appointed by the State Government by its order dated 27<sup>th</sup> of April, 2016. Clearly given the limitations which are manifested from the outcome of the efforts of the learned members of these committees, it is necessary to have a committee of external affairs which shall be known as “*Committee of Experts*” shall consist of the aforesaid three experts.

18. We, therefore, direct as follows:-

- (i) A Committee of Experts is hereby constituted which shall consist of the following:-
  - (a) Mr. Elattuvalapil Sreedharan, (IES Retd., Former Chairperson Delhi Metro Rail Corporation and

Member, Mata Vaishno Devi Shrine Board).  
(dmrcpon@gmail.com).

- (b) Dr Nivedita P. Haran, IAS (Retired), Former Additional Chief Secretary, Home Department, Govt. of Kerala. (e-mail: nharan@gmail.com).
- (c) Mr. M. C. Mehta, Renowned Environmentalist, who hails from the Jammu and Kashmir State. ([mcmeha@mcmeff.org](mailto:mcmeha@mcmeff.org)).

Sh. E. Sreedharan, shall be the Chairperson of the Committee while Dr Nivedita Harran, shall be its Coordinator.

19. The terms of reference of the Committee of Experts are:-

- (a) ascertaining the status of the Dal Lake;
- (b) ascertaining all measures required to be undertaken for its restoration, maintenance and preservation as well as all ancillary issues including securing the banks of the Dal Lake;
- (c) re-settlement, relocation and rehabilitation of persons residing or carrying on business on its banks or in the Dal Lake (say in Houseboats etc.) and their rehabilitation.
- (d) Drawing of strict time lines from issuance of NITs to completion of work and monitoring the execution.
- (e) Digital mapping of the Lake and land concerned with the project, if already undertaken at different times, shall be placed before the Committee of Experts.
- (f) Digital monitoring as would be directed by Committee of Expert would be undertaken.
- (g) Any other issue or matter noted by the Committee as being in the interest of the Dal Lake.

20. We further direct as follows:-

- (i) The Committee shall undertake a comprehensive review of the steps taken so far by the Monitoring Committee as well as the Vigilance Committee with regard to all matters relating to the Dal Lake including the points noted by us in our order dated 10<sup>th</sup> September, 2018 and assess their efficacy, adequacy and efficiency.
- (ii) This Committee shall stand empowered to appoint any National or International Expert(s) they deem necessary to facilitate its task. The remuneration/ retainership and expenses payable to such experts shall be determined by the members of the Committee after discussion with the Chief Secretary who shall ensure that the needful towards payment is undertaken.
- (iii) The Committee shall examine any other issue opined by the experts appointed by it or which is revealed during the examination of the matter by the Committee essentially for improvement of the conditions in the Dal Lake and all person in or surrounding the Dal Lake or dependent upon the Dal Lake in any manner.
- (iv) All cooperation shall be given by all persons who have been associated in any capacity with any matter relating to the Dal Lake;
- (v) It shall be open for the Expert Committee to have meetings with the Vigilance Commissioners as well as the Monitoring Committee aforesaid in order to evaluate the work which has been undertaken so far. The Vigilance Commissioners and the members of the

Monitoring Committee shall render full cooperation to the Expert Committee.

- (vi) The Expert Committee shall make recommendations with regard to steps for improvements/ changes/ alternatives of the measures underway as may be necessary; direct the implementation thereof and monitor execution till completion.
- (vii) Given the availability of electronic modes of communication, it shall be open for the members of the Committee to conduct inter & intra committee meetings utilizing video conferencing, skype or any other electronic mode of communication as well.
- (viii) The deliberations and meetings with any other expert(s) or authority may also be conducted in the like manner.
- (ix) The members of the Committee shall be at liberty to appoint any person for affording secretarial assistance for each of them. The charges towards such secretarial assistance shall be fixed by the Committee and informed to the Chief Secretary.
- (x) The members of the Committee at the outset shall be paid an initial amount of Rs.5 lakhs each towards reading and preparation charges.
- (xi) The members of the Committee shall be paid an amount of Rs. 1 lakh for each physical meeting conducted by them and Rs.50,000/- for deliberations conducted using the electronic mode.
- (xii) In so far as the physical inspection(s) of the Dal Lake or of any area is deemed necessary, each of the members of

the Committee shall be paid sum of Rs.1.5 lakhs, for each inspection.

- (xiii) In so far as the payments to the members of the Committee and towards the expenses incurred by them are concerned, the same shall be transferred by electronic mode to the accounts of the members of the Expert Committee unless requested by the member by any other mode.
- (xiv) In case any travel to a place beyond residence of the members of the Committee is required, the Chief Secretary shall ensure that boarding and lodging commensurate with that admissible to an officer of the rank of Secretary, Government of India, is arranged subject to the satisfaction of the Committee members.
- (xv) The members of the Committee shall be entitled to airfare and conveyance charges equivalent to the amount which is accorded to the Secretary of the Government of India. If incurred personally, they may communicate their individual expenses of conveyance, boarding and lodging directly to the Chief Secretary of the State.
- (xvi) The Chief Secretary shall direct availability of proper meeting place for the members of the Committee in Srinagar, Delhi, Kerala or any other place desired by the Committee.
- (xvii) The Committee of Experts shall also take steps for implementing all orders passed by this Court.
- (xviii) The Chief Secretary of the State of Jammu & Kashmir is directed to ensure every facility to the Committee. It shall be the responsibility of the Chief Secretary of the State to



arrange for the appropriate and adequate mode of transportation for physical inspection(s) of the Dal Lake and surrounding area which may include motorboats, helicopters and appropriate road transportation.

- (xix) The Chief Secretary of the State shall identify/ nominate officers who shall be responsible for facilitating the Committee of Experts.
- (xx) The Chief Secretary shall ensure to provide all related and required documents to all the members of the Committee.
- (xxi) In case of any difficulty being faced by the Expert Committee, it may be communicated to the Chief Secretary who shall ensure that every step is taken to address the same. In case of a difficulty which the Government is unable to address, the same may be placed before this Court by the members of the Committee of Experts or the State Government or amicus appointed herein.

21. So far as legal assistance in Delhi and Kerala is concerned, we appoint Mr. Sanjay Jain, Senior Advocate Former Solicitor General, to be assisted by Mr Gautam Narayan, Advocate, as Amicus Curiae. In the State of Jammu & Kashmir, Mr A. H. Naik, Senior Advocate, assisted by Ms Farah Bashir, Advocate, are appointed as Amicus Curiae, to assist the Committee. It shall be open to the Committee to join the amici and/or experts in any inspections and deliberations at any place.

22. Inasmuch as we are unable to assess the amount of assistance and work which would be entailed from these senior lawyers at this stage, their remuneration shall be fixed by the Committee of Experts and informed to the Chief Secretary who shall ensure payment thereof. For the time being, the

Chief Secretary shall ensure payment of Rs. 1.50 Lakhs to each of the Senior Advocate amicus and Rs. 75,000/- to the concerned amicus to be adjusted towards their expenses.

23. The Registry shall forward copies of the all orders noted in this order along with important status reports filed in the matter to the Committee of Experts and the Amicus Curiae forthwith including by the e-mode.

24. The Registry shall permit inspection of the court record to the members of the Expert Committee and Amicii Curiae against a letter of request made to the Registrar Judicial of this Court.

25. It is made clear that violation to comply with or to ensure timelines directed by the Monitoring Committee shall be treated as violation of orders passed by this Court. All persons and authorities directed by the Expert Committee to do or desist from doing any act shall ensure strict compliance with the directions. In case there is any difficulty in ensuring the compliance, the same shall be placed for orders before this Court.

26. The Registry shall ensure that all necessary records are forthwith made available to the members of the Committee.

27. We request Ms. Farah Bashir, Advocate to facilitate the Registrar Judicial in identifying extract of the court record which has to be sent to the Committee members and the amicii Curiae.

28. Copies of this order be sent on e-mail to all the members of the Committee as well as the counsels concerned.

Copies of any other record requested by them would be furnished promptly by the Registrar Judicial to them.

**Issue regarding land recovery:**

29. In continuation of the directions made by us in our previous orders, it appears to us that no evaluation appears to have been undertaken regarding

number of optimum licenses which are issued in favour of owners of hotels, houseboats and guest houses. The State Government is directed to prepare a list of the licenses which have been granted towards each of these members. The same shall be placed before the Expert Committee within two weeks from today. Any further or other information deemed necessary by the Expert Committee shall be made available to it.

30. If the Committee of Experts concludes that the population of these hotels, guest houses, houseboats is beyond what would be ideal/optimum for the health of the Dal Lake, it would suggest measures for reducing them, as well as measures for closure/ rehabilitation/ relocation/ compensation and take steps for implementation thereof.

31. In this view of the matter, we would direct the State authorities, for the time being, to withhold issuance of any further license towards these members till evaluation is received from the expert committee on these aspects.

32. The Committee shall be informed as to the ownership of the houseboats as well in order to assess as to whether there are individual houseboat owners dependent thereon as their independent livelihood source, or multiple houseboats are owned by one person in his own name or utilizing the shield of other person(s).

33. The State Government shall place on record the report regarding the lands which are recovered after re-settlement of the occupants. Apart from the details regarding the size of the plot and the location of the land in a tabulation, the position regarding the recovery of land shall be placed on a site plan with photographs in support. It is directed that occupation of such recovered land by any person(s) shall be treated as violation of the orders passed by this Court and a wide publicity be given to this direction and notify the public of the same by placing notice boards of adequate size at the relocation sites.

34. List on 8<sup>th</sup> October, 2018.

**MP No.29/2018:**

Mr Saqib Tufail, Advocate.  
Mr B. A. Dar, Sr AAG.

By this application, the applicant has brought to our notice the illegal construction being affected in the Dal Lake area.

It is stated by Mr B. A. Dar, learned Sr AAG, that objections shall be filed in the course of the day.

Let the same be down.

List as above.

Copy of this order be given under the seal & signature of Bench Secretary to all counsels and amicus.

**(DHIRAJ SINGH THAKUR)**  
**JUDGE**

**(GITA MITTAL)**  
**CHIEF JUSTICE**

**Srinagar**  
**18.09.2018**  
**Abdul Qayoom, PS**

