

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

WP(C) PIL No.03/2025

Court on its Own Motion

...Petitioner(s)/Appellants.

Through: None.

Vs.

Union Territory of J and K (Forest Ecology & Environment Respondent(s)

Through: Mr. Mohsin S. Qadiri, Sr. AAG, with
Ms. Maha Majid, Assisting Counsel.
Mr. Illyas Nazir Laway, GA.
Mr. Faheem Nissar Shah, GA.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER
18.09.2025

01. The petition at hand is being tried by the Court on its Own Motion.
And on April 8, 2024, this Court had passed the following order:

"1. A news item has been published in daily newspaper Greater Kashmir in its edition dated 8th April, 2025, with the head:

***"Spring of smoke
Kashmir's forests continue to burn"***

2. It is mentioned in the news item that more than 100 forest fires have erupted across the Jammu and Kashmir over the past two weeks and have consumed over 200 acres of forest cover. District Anantnag is worst-hit so far as Kashmir province is concerned and in Jammu Division also, active blazes have been reported in Rajouri, Ramban, Reasi, Doda and Poonch. The causes which have been attributed to these fires are human negligence, illegal camping and prolonged dry spells.

3. The forest fires are serious concern in view of the fact tht the whole world is already facing the issue of global warming. More than 100 forest fires within a period of two

weeks reflect the alarming situation which is required to be tackled.

4. In view of the aforesaid position, the matter is required to be placed before the Hon'ble Chief Justice for appropriate orders. The Registrar Judicial is directed to place the matter before the Hon'ble Chief Justice along with newspaper cuttings for appropriate orders."

02. Pursuant to the notice issued to the respondent, the Chief Conservator of Forests, Kashmir, has furnished an affidavit. And per the averments set-out therein in many forest types, especially dry temperate and subtropical regions, fire plays a key ecological role in regeneration, nutrient cycling and habitat dynamics. And the climate change, human pressures and land use changes have increased fire intensity, frequency and impact necessitating modern prevention and control measures. In para-6, multiple reasons are assigned that lead to forest fires:

"A. Anthropogenic (Human-Induced) Causes.

- a. Burning of crop/ farm residue.
- b. Carelessly discarded cigarettes, matchsticks, and un-extinguished campfires.
- c. Burning of forest litter or waste along roadsides and habitations adjoining forests can spark fires.
- d. Use of fire by locals to obtain fresh growth of grass.
- e. Accidental fires on account of LoC firing.

B. Natural Causes (Rare).

- a. Lightning:
- b. Rolling stones during dry season.

C. Environmental & Climatic Factors.

- a. Prolonged dry spells.
- b. Rolling stones during dry season.

C. Environmental & Climatic Factors.

- a. Prolonged dry spells.
- b. Accumulation of leaf litter on forest floor.
- c. Rising temperatures and altered rainfall patterns."

03. However, it is averred that to mitigate the forest fires, Forest Fire Control Rooms have been established at different levels in the respective

Forest Divisions. Besides that, manpower from the Forest Protection Force and other Forest Wings has also been involved to control the forest fires. Additionally, awareness programs are being undertaken among the forest fringe communities. Other than that, the department undertakes various preventive and control measures to mitigate and manage forest fires:

- “a. Creation and maintenance of fire lines which act as physical barriers to prevent spreading of fire.*
- b. **Controlled Burning:** Use of prescribed burns to reduce combustible forest litter under supervision before the onset of fire season.*
- c. **Early Warning Systems:** Use of satellite-based fire alerts (FSI Fire Alert System-Van Agni). The field officers and officials of the department are registered on the alert system and get regular alerts on occurrence of forest fire incidents.*
- d. 85 Joint Control for forest fire control have been setup and are equipped with hand tools & fire fighting equipment comprising of fire beaters, rake hoes, backpack sprayers, and other essential tools etc.*
- e. **Mock Drills and Trainings:** Mock-drills and trainings are often conducted from time to time.*
- f. **Community Engagement:** Involving Village Forest Committees and local volunteers.*
- g. **Awareness Campaigns:** Community sensitization through school programs, posters, hoardings and social media.”*

04. Accordingly, it is submitted that multiple measures are being taken to conclusively address the issue that arises for consideration and the Government is pro-actively pursuing the matter by undertaking various preventive and control measures.

05. We have examined the response/reply and heard learned counsel for the respondents. In the wake of the position indicated above, we do not consider it necessary to continue with the matter any further. However, the matter being sensitive, we still consider it expedient to appoint Mr. Nadeem Qadiri, Advocate, as an Amicus, just in case any fresh cause of action arises or anything that impels the intervention of this Court, to move an appropriate application in the present petition itself for necessary orders. Having said that, we close the proceedings in the present petition.

06. The Registrar Judicial is, accordingly, requested to inform the learned Amicus Curiae of this order and share with him the Xerox copy of the entire records as also the various orders that have been passed from time to time.

07. The petition is, accordingly, disposed of in the aforesaid terms.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

Srinagar
18.09.2025
Abdul Qayoom, Secy.

