Serial No.27

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CM(7421/2026) IN WP(C) 3196/2025
CM(7569/2026)

MOHAMMAD RAFIQ MIR AND ORS ...PETITIONER(S)

Through:
Mr. B.A. Bashir, Sr. Advocate, with
Ms. Falak Bashir, Advocate

V/s.

UNION TERRITORY OF J AND K AND ORS ...RESPONDENT(S)

Through:
Mr. Mohsin Qadiri, Sr. AAG, with
Mr. Waseem Gull, GA.
Mr. F.A. Wani, Advocate
Mr. Masood, Advocate

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE YASH PAUL BOURNEY, JUDGE.

ORDER
31.10.2026

1. This Court had passed an order on 14.10.2026, after hearing learned Senior Counsel Mr. B.A. Bashir and Ms. Falak Bashir, who pointed out that there was discrimination in the boat industry operating in the Dal Lake. The issue relating to the operation of boats, including motor boats, jet skis and shikaras, powered by engines using fuel, was considered.

2. This Court, while exempting the administrative services, including emergency services, law and order, disaster management and safety, directed that all the boats fitted with motors or any other kind of engine and operating on fuel, shall be stopped from operating, so as to prevent any further pollution of the lake. That order remains in force.

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3. Today, learned Senior Counsel Mr. B.A. Bashir has brought to the notice of this Court that he has filed an application, being CM No. 7469/2026, on behalf of the stakeholders operating jet ski and motor boats having valid licences. He seeks formulation of a duly considered policy to ensure equitable distribution of the benefits accruing from the boat industry. For the reasons mentioned in the application, CM No. 7469/2026 is allowed and the applicants are impleaded as parties.

4. This Court is also seized of another application, being CM No. 7421/2026, wherein certain other stakeholders have sought impleadment as parties to the proceedings. For the reasons mentioned in the application, the same is allowed and the applicants are impleaded as parties. Both the applications stand disposed of.

5. Learned Senior Additional Advocate General Mr. Qadri, submits that they shall come up with a tentative and comprehensive policy governing the operation of boats in the lake, while also contemplating the use of solar and electric energy for the boats, shikaras and jet skis.

6. Mr. Qadri shall also be required to place on record, along with the proposed policy, a roadmap depicting the prevailing situation, as to the number of motor boats, jet skis and shikaras permitted to operation in the lake, as also how many of them are motorized and non-motorized. He shall further furnish statistics indicating number of such boats, along with their respective engine specification. The proposed policy shall also take into consideration the recommendations of experts regarding the proportion of the lake area that ought to be earmarked for hand-rowed shikaras and the extent to which the interests of other stakeholders, such as those operating jet skis and motor boats, can be accommodated.

7. Every lake has its own peculiarities, and the Dal Lake has the distinction of being a valuable water body in the Valley of Srinagar. Therefore, keeping in view all relevant aspects, including environmental safety, pollution and tourism, a tentative but comprehensive policy shall be formulated and placed before this Court

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on or before the next date of hearing, a copy whereof shall be provided to all the stakeholders. The stakeholders whose applications have been allowed shall be at liberty to furnish their suggestions after the policy is placed before this Court.

8. In the meanwhile, the directions prohibiting the operation of any engine-powered boat whatsoever, whether a jet ski, motor boat or shikara, shall continue to remain in force. Any violation of the said directions shall be viewed very seriously by this Court.

9. List on 16.11.2026.

(YASH PAUL BOURNEY) JUDGE **(DR. PUSHPENDRA SINGH BHATI) CHIEF JUSTICE**

SRINAGAR:
31.10.2026
Junaid

HIGH COURT
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