

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

WP(C) No.3196/2025

MOHAMMAD RAFIQ MIR AND ORS. ...Petitioner(s)/appellant(s)

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

Vs.

UNION TERRITORY OF J AND K AND ORS. ...Respondent(s)

Through: Mr. Mohsin S. Qadri, Sr. AAG with
Ms. Maha Majeed, Assisting Counsel
Mr. Waseem Gull, GA
Mr. Qazi Irfan, RTO Kashmir is present in person.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

ORDER
14.10.2026

1. The petition has been preferred with the following prayers:

“(i) Writ of Mandamus commanding respondent no. 2, i.e., Deputy Director Tourism Registration, to immediately respond to the letter dated 19.09.2025 of respondent no. 3, i.e., RTO Kashmir, so that the renewal process is not delayed by RTO, which will harm the interests of the petitioners, and the same shall serve the ends of justice.

“(ii) Any other writ, order, or direction which this Hon'ble Court deems appropriate in the attending circumstances of the case may kindly be issued in favor of the petitioners and against the respondents, for which act of kindness the petitioners shall ever pray.”

2. Counsel for the petitioners, Mr. B.A. Bashir, learned Senior Counsel, and Ms. Falak Bashir, learned counsel assisting the court on behalf of

the petitioners, submitted on the last occasion that the whole gamut of permitting the motorboats is suffering from a lack of criteria and a lack of transparency.

3. They also submitted that earlier the tourism authorities were granting such licenses and now it has been said that RTO would be granting them, but at the same time, because the criteria is not in the public domain, not only are the persons who are involved in the motorboat industry running in the Dal Lake suffering, but there is also a larger issue coming regarding the transparency and credibility of the authorities to be fair in granting the licenses while taking into consideration the issues of pollution and also the number of boats that could be allowed or permitted to ply in the lake in question, including Jet Skis.
4. Mr. Bashir, learned Senior Counsel, and Ms. Falak Bashir, learned counsel who represents the petitioners, fairly submit that whatever the criteria, it needs to be uniform, transparent, and environmental. They also submit that the Jet Skis, motorboats, or anything motorable which is in the lake is likely to damage the ecosystem of the lake and, therefore, a regulated and protective approach toward the issue needs to be adopted in a uniform manner.
5. Upon such submissions on the last occasion, this court framed three questions to be answered by the respondents.
6. Mr. Qadri, learned Senior AAG, was directed to take instructions from the authorities of LCMA, RTO, and Tourism Department, to which Mr. Qadri today submits that the authorities are duty-bound, appearing along with the authorities concerned and having a holistic approach, he

submits that though there have been certain auctions for motorboats, at the same time, tourism licenses have not been reviewed at any point of time. Mr. Qadri also submits that auctions have taken place and certain people have been allowed to ply the motorboats for tourist purposes.

7. Mr. Qadri submits that Dal Lake pollution is an issue which the authorities wish to meet head-on and ensure that the sanctity of the lake is maintained while drawing a balance between tourism activities as well as the cleanliness of the lake in question.
8. Mr. Qadri also fairly submits that the Dal Lake has a significant role in the civilization of this territory, and thus the commitment of the authorities for the betterment of the lake is strong, and they will take a scientific and an expert-oriented approach for meeting out the problem of licenses for tourism purposes, particularly where a motor is used, whether in Jet Skis or motorboats.
9. However, Mr. Qadri submits that for the purposes of rescue operations or any kind of emergencies, the administration boats may be exempted if the court has passed any restraint order regarding any other motorized vehicle.
10. On the limited propositions that have been addressed, this court is convinced that in modern times, when lake systems have become a growing concern for civilization, steps are being taken to exclude activities which would cause pollution, and also it would be important that whatever policy is framed is more reasonable while balancing tourism activities, pollution, as well as the uniformity between the players involved.

11.This court is not hesitant to observe that solar boats and electric boats could be a solution for balancing the equities between tourism and the sustenance of lakes.

12.Thus, in the larger interest of justice, taking a comprehensive view of the submissions made, it is directed that the respondent authorities LCMA, Tourism, and Police shall ensure that no motorboat, whether it be a shikara motorboat, or Jet Ski which operates by fuel, is operated in the Dal Lake until further orders.

13.We direct that in case any motorized boat is allowed to ply or is reported to ply, it shall be held as contempt of today's order of this court, and therefore the officers concerned shall take a strict view by restricting and prohibiting such operations.

14.The boats which may be used by the administration and the authorities for the purpose of emergency services, law and order, disaster management, and safety shall remain exempted from this order.

15.Mr. Qadri shall submit a comprehensive policy for motorized boats which the UT (Union Territory of J&K) would take while consulting experts to minimize pollution and also have a balance between tourism and pollution control.

16.Mr. Qadri shall also explore and bring it before this court whether complete motorization can be substituted by solarized e-engines.

17.List the matter on **30.10.2026**.

(RAJESH SEKHRI)
JUDGE

(DR. PUSHPENDRA SINGH BHATI)
CHIEF JUSTICE

SRINAGAR

14.10.2026

Shameem H.