



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-PIL-261 of 2019 (O&M)

Date of Order:02.09.2024

Just Sewa Society Registered through its Secretary

.Petitioner

Versus

Union of India and others

..Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Dilpreet Singh Gandhi, Advocate
for the petitioner.

Mr. Salil Sabhlok, Sr. DAG, Punjab.

Mr. Arvind Seth, Sr. Panel Counsel,
for respondent no.1.

Mr. Raghav Gulati, Advocate
Mr. Gurpreet Singh, Advocate
for respondent no.4.

ANIL KSHETARPAL, JUDGE

1. By filing the writ petition, the petitioner prays for the following
substantive reliefs:-

*“i) Writ in the nature of certiorari for setting aside
the Rule 6 'The Punjab Regulation of Wood Based
Industries Rules, 2019' (Annexure P-5) specifically Rule
6(a) notified by Respondent no.3 whereby the distance of
any saw mill from the forest is reduced from 10 kms to
1km meters as well as the rest of the contents of Rule 6
which are unconstitutional and being ultravires to he*



provisions of the Constitution and is liable to be struck down in the interest of justice.

With a further prayer for issuance of writ in nature of mandamus directing the respondent no.3 not to issue any new license to the saw mills in the State of Punjab without inspecting the status of availability of timber and other woods in the State and without following the norms laid down by Hon'ble Supreme Court in T.N.Godavarman Thirmulpad Vs. Union of India and others- Writ Petition (Civil) No.202 of 1995.”

2. The petitioner claims that Rule 6 of The Punjab Regulation of Wood Based Industries Rules, 2019, is unconstitutional and against the guidelines issued by the Supreme Court in **T. N. Godavarman Thirmulpad Vs. Union of India and others (Writ Petition (Civil) No.202 of 1995).**

3. From the reply, it is evident that these rules have been framed on the guidelines of Wood Based Industries (Establishment and Regulation) Guidelines, 2016, which were amended by the Ministry of Environment, Forest and Climate Change on 11.09.2017. State specific order in respect of distance from boundary of nearest notified forest with respect to Punjab has been brought down from 10 kms to 1 km, in the amended guidelines.

4. The learned counsel representing the petitioner failed to draw the attention of the Court to any direction by the Supreme Court with respect to distance between reserved forest and Wood Based Industries relating to the State of Punjab in **T. N. Godavarman Thirmulpad's case (supra).**

5. With regard to the second prayer of the petitioner, it may be



noticed that the State of Punjab will follow the guidelines as laid down in Wood Based Industries (Establishment and Regulation) Guidelines, 2016, which were amended in the year 2017. If in a specific case, there is any infringement of the regulation, the petitioner will be entitled to avail the remedy provided in accordance with law.

- 6. With these observations, the writ petition is disposed of.
- 7. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)
JUDGE

(SHEEL NAGU)
CHIEF JUSTICE

September 02, 2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No