

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18908 of 2025

Sanjay Prasad Son of Harinarayan Prasad, Resident of Village Mahabirpur,
P.S. Jogapatti, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Environment, Forest and Climate Change, Government of Bihar, Patna.
2. The Secretary, Department of Environment, Forest and Climate Change, Government of Bihar, Patna.
3. The Collector, West Champaran, at Bettiah.
4. The State Level Committee through the Principal Chief Conservator of Forest (HoFF) Bihar, having its office at Aranya Bhawan, Sheikhpura, Patna.
5. The Principal Chief Conservator of Forest (HoFF), Bihar, having its office at Aranya Bhawan, Sheikhpura, Patna.
6. The Principal Chief Conservator of Forest (Development), Bihar, having its office at Aranya Bhawan, Sheikhpura, Patna.
7. The Additional Chief Conservator of Forest (Wildlife), Aranya Bhawan, Sheikhpura, Patna.
8. The Conservator of Forest-Cum-Regional Director, Valmiki Tiger Project, West Champaran at Bettiah.
9. The Divisional Forest Officer, Bettiah Forest Division, District West Champaran.
10. The Divisional Forest Officer-cum-Deputy Director, Division-I, Valmiki Tiger Project, West Champaran, Bettiah.
11. The Divisional Forest Officer-cum-Deputy Director, Division-II, Valmiki Tiger Project, West Champaran, Bettiah.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Agrawal, Advocate
For the Respondent/s : Mr. P.K. Shahi, Advocate General

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 28-11-2025 The writ application has been filed for the following
reliefs:



i. For directing the Respondents not to allow the shifting of Wood-Based Industries which includes Saw Mills, Veneer Mills, Plywood Industries, or other wood based industries from other Districts of Bihar to the District of West Champaran, Bettiah as the District of West Champaran has got special and unique landscapes and vegetation having Eco Sensitive Zone (ESZ) like Valmiki Wildlife Sanctuary, Valmiki National Park and Valmiki Tiger Reserve and also Udaypur Wildlife Sanctuary and to protect the same in accordance with the Provisions of Environment (Protection) Act, 1986 and the Indian Forest Act, 1927;

ii. For declaring Section 8(1) of the Bihar Wood-Based Industries (Establishment and Regulation) Act, 2025 (Bihar Act 4 of 2025) and Rule 12(1) of Bihar Wood-Based Industries (Establishment and Regulation) Rule, 2025 ultra-virus/contrary to the extent that sub-section (1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 read with sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986, as also contrary to Notification bearing S.O. No. 3026(E) dated 13th September, 2017 issued by the Ministry of Environment, Forest and Climate Change in which it declared an area to an extent ranging from 0 meter to 9 Kilometers around the boundary of the Valmiki Wildlife Sanctuary, Valmiki National Park and Valmiki Tiger Reserve as Eco-sensitive zone and not aerial distance whereas by the said Bihar Act 4 of 2025 & its rule, an Aerial Distance of ten Kilometers from the boundary of notified forest or protected area has been given causing serious threat to conservation and protection of the environment of that areas; of the .

iii. For directing the State Level Committee headed by PCCF (HoFF), Bihar not to allow shifting of the Saw Mills from other Districts of Bihar to the District of West Champaran in view of the concern shown by the Conservator of Forest-cum-Regional Director, Valmiki Tiger Project, Bettiah vide its letter bearing No. 1530 dated 16.05.2024 and also by the Divisional Forest Officer, Bettiah Forest Division vide



its Memo No. 1761 dated 30.05.2024; and
iv. For any other relief/(s) to which the
petitioner is found entitled to in the facts and
circumstances of the case.

2. From perusal of the records, it appears that the petitioner has sought to challenge the *vires* of the Act. It is well settled that the constitutional validity of a statute cannot ordinarily be examined in a Public Interest Litigation.

3. We, therefore, find no merit in the present writ application.

4. Accordingly, the writ application stands dismissed.

5. Pending application(s), if any, shall stand disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

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