

ITEM NO.9

COURT NO.10

SECTION PIL

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No.159/2012

SWAMI ACHYUTANAND TIRTH & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln. (s) for directions and office report)
(For final disposal)

WITH SLP(Crl) No.1379/2011

(With Office Report)

Crl.A. No.472/2012

(With Office Report)

Crl.A. Nos.476-478/2012

Crl.A. No.479/2012

Date : 11/11/2014 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.Y. EQBAL

HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

Counsel for the parties

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For Mr. Rameshwar Prasad Goyal, Adv.

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Ms. Hemantika Wahi, Adv.

Ms. Sushma Suri, Adv.

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Mr. Dheeraj Nair, Adv.

Mr. Shankar Chillarge, Adv.
For Mr. A.P. Mayee, AOR

Mr. Mishra Saurabh, Adv.
Ms. Vanshaja Shukla, Adv.
Mr. Ankit Kr. Lal, Adv.

UPON hearing the counsel the Court made the following
O R D E R

In this writ petition, by way of public interest litigation, the petitioners have prayed for issuance of appropriate direction to the Union of India and concerned State Governments to take effective and necessary measures to completely rule out the sale of adulterated and synthetic milk which is allegedly prepared by materials like urea, detergent, refined oil, caustic soda, etc., which are very hazardous to human life. This Court entertained the writ petition and issued orders and directions on 02.07.2013, 05.12.2013 and 27.02.2014.

Following the orders, the officers who are in-charge of the

Food Safety and Standards in the State of NCT of Delhi, Uttar Pradesh, Rajasthan and Haryana, explained various steps they have taken to implement the provisions of the Food Safety and Standards Act, 2006. This Court also noticed the Article dated 17.02.2012, published by a Voluntary Consumer Association (VOICE) that synthetic milk is prepared by mixing urea, starch/blotting paper, glucose/sugar, caustic soda, refined white paint, detergent or shampoo and the practice is going unabatedly.

This Court also took notice of the fact that consumption of the synthetic milk is hazardous to health as urea and caustic soda are harmful for heart, liver and kidneys and also lead to cancer.

On 27.02.2014, the matter was heard and considering the gravity of the situation as well as in larger public interest, this Court found it necessary that the Union of India should think of making appropriate amendments in the Food Safety and Standards Act, 2006, so that such type of crimes could be curbed to a large extent. It was brought to our notice that a study conducted by the Himalayan Institute of Medical Science, Jolly Grant, Dehradun (HIMS), Report of which is published in Indian Journal of Community Health, Vol.24, No.3, July 2012-Sept.2012, which indicates that the milk samples of nearby places were subjected to certain tests to ascertain adulteration. Test report ultimately indicated that all the milk samples including double-toned milk collected from different places showed presence of urea and detergents as common adulterants.

In the said scenario, the Union of India and the State Governments must come with suitable amendments in the Act or with a

new legislation to curb and stop adulteration and production of synthetic milk which is consumed not only by the infants but also by public at large.

Ms. Indira Sawhney, learned counsel appearing for the Union of India, submits that the matter has been taken up by the Central Government and the same is in progress.

We hope and trust that during the ensuing Winter Sessions of the Parliament, the Central Government will take appropriate decision in this regard.

In the meanwhile, we direct Ms. Indira Sawhney, learned counsel appearing for the Union of India, to submit a status report and the progress made in this regard within a period of four weeks from today.

Put up on 10.12.2014.

Needless to say that all the State Governments shall also take appropriate steps to detect such malpractices and to make the punishment as deterrent as possible.

(SANJAY KUMAR)
COURT MASTER

(INDU POKHRIYAL)
COURT MASTER