

ITEM NO.101

COURT NO.6

SECTION XIA

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 SCivil Appeal No(s). 4039-4053/2009

KOMALAN ETC. ETC.

Appellant(s)

VERSUS

STATE OF KERALA AND ORS.

Respondent(s)

(With appln. (s) for intervention and intervention and interim relief and office report)

WITH

C.A. No. 4986-4987/2009C.A. No. 5391/2009

(With Interim Relief and Office Report)

C.A. No. 5392/2009

(With Interim Relief and Office Report)

C.A. No. 7650/2009

(With Interim Relief and Office Report)

C.A. No. 8337-8339/2009

(With Interim Relief and Office Report)

C.A. No. 8506-8508/2009

(With Interim Relief and Office Report)

C.A. No. 8509/2009

(With Interim Relief and Office Report)

C.A. No. 8652/2009

(With Interim Relief and Office Report)

C.A. No. 8653/2009

(With Interim Relief and Office Report)

C.A. No. 1125-1129/2010

(With Interim Relief and Office Report)

C.A. No. 2245-2251/2010

(With Interim Relief and Office Report)

C.A. No. 2441-2442/2010

(With Interim Relief and Office Report)

C.A. No. 4581-4593/2010

(With Interim Relief and Office Report)

C.A. No. 4730/2010

(With Interim Relief and Office Report)

C.A. No. 5910-5911/2010

(With Interim Relief and Office Report)

C.A. No. 7345/2010

(With Interim Relief and Office Report)

C.A. No. 10054-10057/2010

(With Interim Relief and Office Report)

SLP(Crl) No. 3263-3266/2011

(With Office Report)

C.A. No. 5078/2011

(With Office Report)

C.A. No. 7223-7224/2011

(With Office Report)

C.A. No. 6760/2012

(With Office Report)

Date : 31/03/2015 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE N.V. RAMANA

For Parties

Mr. Himinder Lal,Adv.

Mr. Nishe Rajen Shonker,Adv.

Mr. Ranjith K. C.,Adv.

Mr. Ramesh Babu M. R.,Adv.

Mr. Roshan Chapagin,Adv.

Mr. V. K. Biju,Adv.

Mr. Jogy Scaria,Adv.

Ms. Bina Madhavan,Adv.

Mr. G. Prakash,Adv.

Ms. Liz Mathew,Adv.

Mr. R. Sathish, Adv.

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

Pursuant to our last order dated 10th March, 2015, the Chief Secretary, State of Kerala has filed an affidavit on 23rd March, 2015. From the aforesaid affidavit, it appears that the Report of the Committee with regard to alcohol content in Toddy is engaging the attention of the concerned Sub Committee of the Bureau of Indian Standards. According to the Chief Secretary if Sub Committee decides to recommend change of the standards, a draft amendment of the rules will be made and circulated for public comments. According to the Chief Secretary, it is open for the public to offer their views/comments within 60 days from the date of publication of the amendment. The affidavit further recites that the Chief Chemical Examiner, Government of Kerala, has also been asked to examine certain other aspects of the matter including other parameters of toddy in order to distinguish natural toddy from the artificial toddy. Unless both the reports i.e. from the Bureau of Indian Standards and Chief Chemical Examiner are received. according to the Chief Secretary, no

decision can be taken in the matter. In view of the fact that 60 days notice has to be given inviting the views/comments from the Members of the public, we direct the Registry to list this matter for consideration after three months along with the action taken Report .

In our previous orders we had directed consideration of the recommendations of the Committee with regard to consumption of toddy within 12 hours of collection/tapping and the recommendations received in this regard for enlargement of the said period to 3-4 days and the representations submitted by the All India Toddy Tappers Workers Federation and Kerala State Toddy Shop Contractors Associations to be considered and decided. The affidavit of the Chief Secretary does not indicate any decision on the aforesaid issues. As the matter has now been adjourned for three months, we direct the Chief Secretary, State of Kerala to take an appropriate decision in the matter after examining the report of the committee and taking into consideration the representations filed by the aforesaid two bodies. The decision taken in this regard be also placed before the Court along with action taken Report of the Chief Secretary.

List after three months.

(MADHU BALA)
COURT MASTER

(ASHA SONI)
COURT MASTER