

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL 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. 4986-4987/2009

C.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

C.A. NO. 10054-10057/2010

SLP(CRL) NO. 3263-3266/2011
(WITH OFFICE REPORT)

C.A. NO. 5078/2011

C.A. NO. 7223-7224/2011
(WITH OFFICE REPORT)

C.A. NO. 6760/2012

Date : 14/01/2015 These cases were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Parties (s)	Mr. Roy Abraham, Adv. Ms. Reena Roy, Adv. Ms. Seema Jain, Adv. Mr. Himinder Lal, Adv.
State of Kerala	Mr. C.S. Rajan, Sr. Adv. Mr. Ramesh Babu M. R., Adv.
I.A.Nos. 1-15 & 16-30	Mr. V. K. Biju, Adv. Mr. Nishe Rajen Shonker, Adv. Mr. Ranjith K. C., Adv. Mr. Jogy Scaria, Adv.

Ms. Bina Madhavan, Adv.

Mr. G. Prakash, Adv.

Ms. Liz Mathew, Adv.

Mr. R. Sathish, Adv.

Mr. K. Rajeev, Adv.

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

A copy of the report submitted by the Technical Committee on Chemical Composition of Toddy submitted to the Government of Kerala for necessary action has been placed before us. An additional copy has also been furnished to the learned counsel for the appellants as also the learned counsel for the applicants - interveners.

A perusal of the said report would go to show that insofar as Coconut Palm Toddy is concerned, the maximum alcohol content which has been recommended by the Committee is 9.59% wherein in case of Sago Palm Toddy it is 8.24% and in case of Palmyra Palm Toddy, it is 8.13%. The concluding note of the Committee indicates that a recommendation has been made to the effect that the Indian Standards Specifications for Toddy is to be revised after incorporating the parameters such as alcohol, total acidity, phosphorous, potassium, vitamin C and turbidity.

It is submitted on behalf of the State of Kerala that the Bureau of Indian Standards has been approached by the State and an action as required by the Bureau is expected.

The Bureau of Indian Standards or the Competent Authority, as may be, if has been approached by the State of Kerala, to do the needful in terms of the request made by the State of Kerala within four weeks from the date of receipt of a copy of this order. A copy of this order will be furnished to the said Body by the State of Kerala.

The State of Kerala shall within six weeks from today inform the Court of the resultant action. We make it clear that in view of several adjournments granted earlier, there will be no further adjournment of the case.

In considering the report of the Committee, the State of Kerala would be expected to take note of the recommendations regarding consumption of toddy within 12 hours of collection/tapping and take such decision in the matter as it may consider appropriate.

The objections, if any, in this regard (duration of time for consumption) of the All India Toddy Tappers Workers Federation and Kerala State Toddy Shop Contractors Associations, applicants in I.A. No. 1-15/2013 and 16-30/2013 in Civil Appeal Nos. 4039-4053/2009 for intervention respectively may be placed before the State Government and in the event of an adverse decision, it will be open for them to contest the matters before this Court.

List the matters after six weeks.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER