

Mumbai Jivdaya Mandali, [The Bombay ... vs Standard Review Call on 10 August, 2021

Author: Vineet Kothari

Bench: Vineet Kothari, Umesh A. Trivedi

C/WPPIL/172/2017

ORDER DATED: 10/08/2021

MUMBAI JIVDAYA MANDALI, [THE BOMBAY HUMANITERIAN LEGUE]

Versus

STANDARD REVIEW CALL & 2 other(s)

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/WRIT PETITION (PIL) NO. 172 of 2017

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MUMBAI JIVDAYA MANDALI, [THE BOMBAY HUMANITERIAN
LEQUE]

Versus

STANDARD REVIEW CALL & 2 other(s)

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Appearance:

MR NM KAPADIA(394) for the Applicant(s) No. 1

MR RJ GOSWAMI(1102) for the Applicant(s) No. 1

MR KM ANTANI, ASSISTANT GOVERNMENT PLEADER(1) for the
Opponent(s) No. 3

MR ISHAN MIHIR PATEL(6508) for the Opponent(s) No. 1,3

NOTICE SERVED BY DS(5) for the Opponent(s) No. 2

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CORAM:HONOURABLE DR. JUSTICE VINEET KOTHARI

and

HONOURABLE MR. JUSTICE UMESH A. TRIVEDI

Date : 10/08/2021

ORAL ORDER

(PER : HONOURABLE DR. JUSTICE VINEET KOTHARI) After some discussions the learned Government Counsel is directed to explain the availability of the adequate infrastructure facilities

with all the Government Laboratories for maintaining Food Standards in the State of Gujarat, particularly with reference to Green Label products (Vegetarian).

C/WPPIL/172/2017 ORDER DATED: 10/08/2021 MUMBAI JIVDAYA MANDALI, [THE BOMBAY HUMANITERIAN LEGUE] Versus STANDARD REVIEW CALL & 2 other(s) The learned Counsel for the Petitioner has brought to our Notice, the Letter dated 29.09.2015, Annexure 'E', issued by the Senior Scientific Officer (Food), Foods and Drugs Laboratory, Vadodara, that they do not have said facility.

Still the said Laboratory has issued certain Lab Reports for various products, which are annexed with the reply filed by the State Government prima facie trying to show that the Food samples were found to be in accordance with the standards laid down in the Food Safety and Standards (Food Products Standards and Food Additives) Regulations 2011 framed under the provisions of The Food Safety and Standards Act, 2006.

The question in the present PIL petition filed by the Petitioner, Mumbai Jivdaya Mandali, is not for any particular product or products but the more serious question is whether the Respondent State and its Agencies or Laboratories have the adequate infrastructure and wherewithal in place to undertake all the relevant Food Safety Standard tests with perfection and then certify the Vegetarian Products with Green label, which is widely believed by the Public at large to believe that there is no Non-Vegetarian elements or contents in the said Food Products, including egg and egg flakes from any animal source.

The Reports of the Laboratory produced with the reply of the State Government therefore do not fully satisfy the scope of the present PIL petition.

C/WPPIL/172/2017 ORDER DATED: 10/08/2021 MUMBAI JIVDAYA MANDALI, [THE BOMBAY HUMANITERIAN LEGUE] Versus STANDARD REVIEW CALL & 2 other(s) Therefore, the learned Government Counsel is directed to produce further Status Report with the Affidavit of the concerned senior and responsible Official showing the nature of infrastructure etc. available with them in the State for carrying out these tests and also show the frequency of such tests undertaken by drawing the samples from various Shops or Departmental Stores of various Food products or Drinks, in the State.

Let the Status Report with Affidavit be filed within a period of three weeks from today.

Put up on 31.08.2021.

(DR. VINEET KOTHARI, J.) (UMESH A. TRIVEDI, J.) siji