

**HIGH COURT OF TRIPURA
AGARTALA
WP(C)(PIL) NO.4 OF 2021**

Sri Sampad Choudhury(33 years),
S/o- Sri Bidhu Bhusan Choudhury,
Resident of Bholananda Pally.
P.S.- NCC, P.O.- Kunjaban,
Dist- West Tripura, Pin-799006.

..... **Petitioner(s)**

Vs.

1. The Union of India,

Represented by Ministry of Consumer Affairs Food and
Public Distribution, Govt. of India.

2. The State of Tripura,

Represented by Chief Secretary,
Govt. of Tripura, New Capital Complex,
Agartala, West Tripura.

3. Bureau of Indian Standards,

9, Bahadur Shah Zafar Marg,
New Delhi-110002.

4. Commissioner of Food, Safety & Principal

Secretary, Department of Health & Education(School),
Secretariat, Capital Complex, Agartala, West Tripura, Pin-
799006.

*In compliance with Hon'ble Courts Order dated 03-01-2022
following respondents have been impleaded as follows:-*

5. All Tripura Packed Drinking Water Manufacturer

Association, through its Secretary, Office located at
Tirupati Beverage, N.S. Road, Agartala Tripura(West).

6. Public Works Department,

(Drinking Water & Sanitation),
Government of Tripura.

7. Food Safety and Standards Authority of

India(FSSAI), FDA Bhawan, Kotla Road, New Delhi-11002.

In Compliance with Hon'ble Courts order dated 18.04.2022, following respondent has been impleaded as follows:-

8. The all R.O. Water Factory Owners Association,
Having address at South Indranagar,
Near Chandrapur, S.B. School, Agartala,
PIN-799006, Sadar Dist- West Tripura, P.S.-NCC.

..... **Respondent(s)**

For the Petitioner(s) : Mrs. S. Deb(Gupta), Advocate.

For the Respondent(s) : Mr. D. Bhattacharjee, G.A.
Mr. B.N. Majumder, Sr. Advocate.
Mr. B. Majumder, CGC.
Mr. K. De, Addl. G.A.

Date of hearing and delivery of
Judgment & Order : 14.02.2023.

Whether fit for reporting : YES/NO.

HON'BLE THE CHIEF JUSTICE(ACTING)
HON'BLE MR. JUSTICE ARINDAM LODH

JUDGMENT AND ORDER(ORAL)

The petitioner has filed this instant Public Interest Litigation (*in short ' PIL '*) for taking up the issues of purity and safety of drinking water in bulk packages of 20 liters and sold to the consumers. In the petition, the petitioner has referred to a detailed statutory network under which any such manufacturer and supplier of bottled water would have to obtain permissions from various authorities and maintains standards of purity and packaging related to requirements.

2. The case of the petitioner is that there are large number of manufacturers and suppliers of such bottled water in the State of Tripura who does not conform to these statutory standards.

3. Heard Mrs. S. Deb(Gupta), learned counsel appearing for the petitioner as well as Mr. D. Bhattacharjee, learned G.A. assisted by Mr. K. De, learned Addl. G.A., appearing for the State-respondent, Mr. B. Majumder, learned CGC appearing for the Union-respondents and Mr. B.N. Majumder, learned Sr. counsel assisted by Mr.D.J. Saha, learned counsel appearing for the respondent No.7.

4. Vide order dated 15.11.2022, this Court directed to Chief Secretary, Government of Tripura to delegate all the District Collectors of the State of Tripura to inspect the water manufacturing plants in their jurisdiction and get duly satisfied with regard to their license, hygienic conditions and whether the water is consumable or not by collecting the samples and also obtain report from the concerned laboratory with regard to the standard of water and submit the same before this Court by the next date of hearing. This Court further directed that the said report along with photographs of the inspection be placed before this Court through respondent No.2, the Chief Secretary, Government of Tripura in the form of an affidavit providing details of the said inspection.

5. Learned G.A. appearing for the State-respondents submitted that in pursuance to the order passed by this Court on an earlier hearing, the District Collectors in their respective Districts

have personally visited all the water manufacturing plants and wherever they felt that the water manufacturing plants are not in terms of the licensing condition or as required by the norms, the same has been closed off and the water bottles and other containers have been accordingly seized. It is further assured that they will take periodical steps in this regard.

6. In view of the same, this Court feels that the purpose of taking up this matter by way of 'PIL' is served and accordingly, the instant 'PIL' stands closed. However, it is made clear that in case if the water manufacturing units approaches the concerned authorities seeking revival, then their request shall be considered in accordance with the law. It is needless to observe that in the future if any irregularities are committed in maintaining the potability of water by the Water Manufacturing Units, the petitioner is at liberty to initiate appropriate steps against them.

7. With the above observation and direction, this instant writ petition stands disposed of. As a sequel, pending application(s), if any, also stands closed.

JUDGE

CHIEF JUSTICE (ACTING)