



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.12809 of 2017

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K.Ravichandran

: Petitioner

Vs.

1. Union of India,
Represented by its Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, C-Wing,
New Delhi-110 001.
 2. The Secretary,
Ministry of Consumer Affairs, Food and
Public Distribution,
Government of India,
Krishi Bhawan, Dr.Rajendra Prasad Road,
New Delhi-110 001.
 3. The Chairperson,
Food Safety and Standards Authority of India,
FDA Bhawan Near Bal Bhavan,
Kotla Road,
New Delhi-110 002.
 4. The Secretary,
Health and Family Welfare Department,
Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai-9.
 5. The Commissioner of Food Safety,
5th Floor of DMS Office Building,
359, Anna Salai,
DMS Campus,
Teynampet,
Chennai-600 006.
- : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to constitute a special committee consisting of experts to examine all the Oil Pockets, Oil Products, being marketed across the State whether they are consumable within the time stipulated by this Court.



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For Petitioner : Mr.S.Malaikani
For Respondents 1to3 : Mr.P.Paulpandi
For Respondents 4&5 : Mr.M.Govindan,
Special Government Pleader

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition in *pro bono publico* to direct the respondents to constitute a Special Committee consisting of Experts to examine all the Oil Pockets, Oil Products marketed across the State and decide as to whether they are fit for human consumption.

2. The adulteration in Edible oil without adherence to the Food Safety and Standards Act and labelling and mislabelling made the petitioner to file this Writ Petition. In view of the larger public interest shown by the petitioner, we have directed the Commissioner of Food Safety and Drug Administration to ascertain the feasibility of issuing appropriate guidelines and constitute a Monitoring Committee.

3. The Commissioner of Food Safety and Drug Administration, Chennai, pursuant to our direction, by order dated 31 August, 2017, constituted a State Level Committee under the Chairmanship of the Deputy Director with designated Officers from Salem, Erode, Namakkal, Virudhunagar, Madurai and Tuticorin, as Members. The Committee is obliged to check/scrutinize the various brands of edible oil available in the market for safety, standards and labelling as per FSSA Act and Rules. The Commissioner conducted a review meeting on 03 August, 2017, and district wise list of oil brands/companies has been collected and consolidated at the State level and the list would be made available to the Committee. The District Officers would be called upon to lift the samples of all major oil brands and send a report to the State Level Committee on the test results and labelling discrepancies. The Committee would review the issues identified from time to time by the Field Officers and based on complaints received from public. Thereafter, appropriate action would be taken against the edible oil manufacturers those who are marketing the oil in violation of the provisions of FSSA Act and Rules. The Commissioner of Food Safety and Drug Administration has also taken action for creating awareness on edible oil. The specific awareness was created among the consumers to check the labels, ingredients, colouring agents, ~~expiry date~~, expiry date/best before date, FSSAI Logo, storage conditions for food items and purpose/use. The consumers



are at liberty to prefer complaints to the State Level Committee by using Whats-app No.94440 42322.

4. In view of the action taken by the Commissioner of Food Safety and Drug Administration, Chennai, taking into account the order passed by this Court, nothing survives for further adjudication in the matter.

5. We hope and trust that the Commissioner of Food Safety and Drug Administration would monitor the sale of edible oil and its adulteration and mislabelling and appropriate action would be taken against the violators.

6. It is needless to mention that the Commissioner of Food Safety and Drug Administration shall give wide publicity of its Whats-app Number, so as to enable the public to prefer complaints.

7. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
Union of India,
Ministry of Health and Family Welfare,
Nirman Bhawan, C-Wing,
New Delhi-110 001.
2. The Secretary,
Ministry of Consumer Affairs, Food and
Public Distribution,
Government of India,
Krishi Bhawan, Dr.Rajendra Prasad Road,
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3. The Chairperson,
Food Safety and Standards Authority of India,
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Kotla Road,
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4. The Secretary,
Health and Family Welfare Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-9.



5. The Commissioner of Food Safety,
5th Floor of DMS Office Building,
359, Anna Salai,
DMS Campus,
Teynampet,
Chennai-600 006.

+1cc to Mr.S.Malaikani, Advocate Sr.No.79356
+1cc to Mr.P.Paulpandi, Advocate sr.No.79355
+1cc to The Spl.Government Pleader sr.No.79861

SML

VB/KK/SAR1/10/10/2017/4P/9C

Order made in
W.P. (MD) No.12809 of 2017
Dated: 18.09.2017