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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST PETITION NO.182 OF 2014

Maza Bharat Samajik Sanstha

...Petitioner

V/s.

Union of India & Ors.

...Respondents

Mr.J.P. Kharge – Petitioner in person.

Mr.P.P. Kakade, A.G.P. for the State – Respondent.

Mr.Suresh Kumar for the Respondent No.2.

Mr.J.P. Jagtap for the Respondent No.4.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N.M. JAMDAR, J.**

DATE : 30TH APRIL, 2019.

P.C. :-

1. Filed in the public interest, the petitioner draws attention of this Court to the policy of the Railway Authorities permitting growing of vegetables on the railway land contiguous to the railway lines. The petitioner highlights that the licensees who grow vegetables on the railway land abutting the tracks use sewage water which result is toxic chemicals being absorbed by vegetables which are sold in the market. Prayer made is to direct the Railway

Authorities to prohibit any cultivation of vegetables on the lands abutting the railway lines.

2. Under the scheme : Grow more food the railway authorities permitted group C & D serving staff to obtain licenses to cultivate surplus railway land abutting railway lines. The policy in question requires the licensees not to use polluted sewage water for the purpose of cultivation and advises them to grow flowers / nursery plants instead of vegetables.

3. Confronted with the laudable object of the scheme to grow more food and at the same time required to ensure public health, noting that the railways themselves have written to the licensees not to use sewage water, we dispose of the public interest litigation directing the Managers of all the Railways in India to ensure that sewage water is not used for irrigating the land by the licensees for growing vegetables. If any licensee is found using sewage water for irrigation, the license shall be revoked.

(N.M. JAMDAR, J.)

(CHIEF JUSTICE)