

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No. 8115 of 2018 (O&M)
DATE OF DECISION: 28.05.2019

Rohit Sabharwal

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Mr. Shimon Bhatia, Advocate for
Mr. Sardavinder Goyal, Advocate for the petitioner.

Ms. Monica Chibber Sharma, Sr. Deputy Advocate
General, Punjab for the respondents.

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KRISHNA MURARI, CHIEF JUSTICE: (Oral)

This writ petition in the nature of Public Interest Litigation has been filed seeking the following main reliefs:-

- ii) Issue a writ in the nature of mandamus or any other appropriate writ directing the respondents to effectively implement the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011 by way of directing respondents to conduct a survey and ensure that all the Food Business Operators of the Ludhiana City get themselves Registered/Licensed as per the provisions provided under the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011, keeping in view of the fact that large number of Food Business Operators have neither been issued licences and nor been registered with competent authorities and without registration with competent authorities it is difficult to keep check on Food Business Operators regarding quality and hygiene of food to be served to the citizens of India.
- iii) Further respectfully prayed that respondents may kindly be directed to ensure that all the Food Business Operators of the Ludhiana City follow the Basic Hygiene and Safety Requirements as per the provisions provided under the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011.

In compliance of the order, a status report has been filed by the State of Punjab wherein it has been stated that a survey is being carried out to collect the data with respect to the food business operators operating in the city and in the meantime awareness camps and training classes are also being organized for such operators wherein special emphasis is given on registration/licensing good hygiene practise and good manufacturing practices.

It has further been submitted that Food Safety and Standards Licensing Registration of Food Businesses Regulations, 2011 came into operation in the year 2011. Initially registrations were carried out and licences issued manually till August, 2014 and now online process for carrying out registration and issuing licences is in place and all the applications received for issuance of such licences and registration have been processed. It is also stated in the status report that those who have not applied for licences and registration till date in violation of the Food Safety and Standards Licensing and Registration of Food Businesses Regulations, 2011, a proposal is being prepared to initiate appropriate legal action against such defaulters and even prosecution has been initiated against some of the persons found to be involved in food adulteration/non-confirming to the standards and strenuous efforts are being made to ensure the basic hygiene and safety requirements as per the provisions of Regulations, 2011.

In view of the averments made in the reply, the authorities of Ludhiana are in the process of implementing the provisions of Regulations, 2011 and thus the concerns expressed by the petitioner in this Public Interest Litigation stands redressed.

In the circumstances, we do not feel that this Public Interest Litigation is likely to continue on board any further and the same accordingly stands disposed of.

However, the matter be listed after three months for bringing on record a comprehensive compliance report by the State indicating that all the required steps have been taken to their logical end.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

28.05.2019
ravinder

Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
