

**Suo Motu proceedings initiated pursuant to Newspaper
Reports dated 02.05.2022**

Dated this the 4th day of May, 2022

A day ago, the Press in Kerala have reported the shocking death of a sprightly young girl - Devanandha; and of the hospitalization of 57 or so others, due to food poison.

A particular food item is ascribed to be the probable cause.

We are, like every other citizen, appalled – not only of the terribly unfortunate turn of events, but pondering how it could happen at all when strict enforcement and analytical regimes and systems are already in place under the Food Safety and Standards Act, 2006 (hereinafter referred to as “the Act” for brevity).

We are fully cognizant, as we are also told by Sri.S.Kannan, Senior Government Pleader, that necessary investigations are going on; and therefore, that it is now too early to draw conclusions.

But we are firm that this shall never recur, especially because the food preparation in question appears to have obtained great popularity in our State.

Therefore, though we propose not to speak specifically about the incident in focus; or to, in any manner, reflect on the ongoing investigation into it, we deem it pressing in the interests of the health and life of our citizens, to seek explication from the Authorities concerned on the measures taken, or to be taken, to warrant to them in future the safety of the food they are served and offered.

This is all the more acme, since the Commissionerate of Food Safety in Kerala is invested with the duty to implement and ensure the efficient implementation of food safety, its standards and other unexpendable requirements under the Act, as also under the Rules and Regulations under it.

Apodictically, it is solely when the twin legal duties of enforcement and analytics – with special emphasis on “watch, guard and accountability” – is discharged by the officers diligently, can the well publicized motto of the Commissionerate of Food Safety – “Safe food for Healthy Life”, obtain real meaning.

For the afore, we order the Registry to register and number this case as a suo motu Public Interest Litigation, arraying the Government of Kerala, represented by the Secretary, Health & Family Welfare Department, Thiruvananthapuram and the Commissioner of Food Safety, Thycaud P.O., Thiruvananthapuram, as the initial respondents.

The various news paper reports that have been made available to us across the bar, shall be appended as documents in this matter.

List for further consideration on 06.05.2022.

Hand over.

DEVAN RAMACHANDRAN, JUDGE

P.G. AJITHKUMAR, JUDGE

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