

ITEM NO.6

COURT NO.4

SECTION PIL

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

WRIT PETITION (CIVIL) NO. 681 OF 2004

CENTRE FOR PUBLIC INTEREST LITIGATION

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for directions, permission to appear and argue in person and impalement and office report)

(FOR FINAL DISPOSAL)

Date: 08/02/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Prashant Bhushan,Adv.
Mr. Rohit Kumar Singh,Adv.

For Respondent(s) Mr. Mohan Parasaran,ASG
Ms. Binu Tamta,Adv.
Ms. Sadhana Sandhu,Adv.
Mr. D.S. Mahra,Adv.

For Ms. Sushma Suri,Adv.

Mr. K.K. Venugopal,Sr.Adv.
Mr. Ravinder Narain,Adv.
Ms. Rajeshwari Shukla,Adv.
Ms. Kanika Gomber,Adv.
Mr. Amit Agarwal,Adv.
Mr. Rajan Narain,Adv.
Mr. Amit Sibal,Adv.
Mr. R.N. Karanjawala,Adv.
Ms. Ruby Singh Ahuja,Adv.
Mr. Abeer Kumar,Adv.
Ms. Pragya Ohri,Adv.
Ms. Laxmi,Adv.
Mrs. Manik Karanjawala,Adv.

Mr. S. Wasim A. Qadri,Adv.
Mr. D.S. Mahra,Adv.
Mr. S. Hariharan,Adv.
Ms. Rajeshwari H.,Adv.

Applicant-in-person.

UPON hearing counsel the Court made the following

O R D E R

Mr. Prashant Bhushan, learned counsel for the petitioner has drawn our attention to Section 13(1) of the Food Safety and Standards Act, 2006 (for short 'the Act'), in terms of which the Government has to constitute a scientific Panel consisting of independent scientific experts and that scientific Panel in turn shall invite relevant industry and consumer representatives in its deliberation but the panel must consist of only independent scientific experts according to Section 13(1) of the Act.

According to Mr. Bhushan, some members of the Panel appointed by the respondents are not independent scientific experts and their appointment is not in consonance with Section 13(1) of the Act. At this stage, learned counsel appearing for the Food Safety and Standards Authority submits that the Panel would be reconstituted in terms of Section 13(1) of the Act, within two weeks from today and an affidavit would be submitted before this Court.

Mr. Bhushan undertakes to file a comprehensive representation and suggestions before the said Panel and the Panel would consider the same. If a request for personal hearing is made by Mr. Bhushan, the same would also be considered by the said Panel in accordance with law.

List this matter after two months.

(A.S. BISHT)
COURT MASTER

(NEERU BALA VIJ)
COURT MASTER