

Shahid Zaman

VS

Azad Govt. & others

PRESENT:

Raja Amjad Ali Khan, Advocate for the petitioner.

Kh. Muhammad Maqbool War, Advocate General for Azad Govt.

Secretary Agriculture, Secretary Food and Deputy Commissioner, Muzaffarabad in person.

Raja Ibrar Hussain and Ch. Shoukat Aziz, Advocates for the respondents.

ORDER:

In compliance of the direction of the Court, the Secretary Agriculture, Secretary Food and Deputy Commissioner, Muzaffarabad appeared in person. The District Administration of Muzaffarabad has done a wonderful job by starting operation against the persons who are involved in the business of adulterated food. The efforts made by the authorities are highly appreciated and it is desired that the same shall be continued in order to bring the culprits before the Court of law.

On Court's query, the Secretary Agriculture submitted that in AJ&K there is no modern mechanism for testing the Adulterated Food, however, presently six Laboratories established in different districts can meet the requirement only to the extent of adulterated milk. He added that establishment of a full fledge Laboratory should be the paramount consideration of the Government. The Secretary Food also stated that comprehensive law in shape of Food Authority Act is holding the field wherein the detailed mechanism is provided. He assured the Court that the Food Authority shall fully co-operate with the District Administration.

Raja Amjad Ali Khan, Advocate, apprised the Court that 10 samples were collected out of which 5 were found adulterated and remaining were substandard. On query, the concerned official stated that the shops selling substandard milk were de-sealed on the report of Doctor that the milk being only lacking fat is not injurious to health. After hearing all the concerned, we direct the Secretary Agriculture and Secretary Food to submit the detailed reports for enabling the Court to pass speaking order/directions.

We would also like to clarify that the concerned shall work without any pressure strictly in accordance with law. Furthermore, in the garb of order of this Court no illegal harassment shall be made. It is also observed that running a lawful business is a fundamental right enshrined under the Constitution which cannot be abridged or taken away save in accordance with law, however, the supply of Adulterated Food cannot be allowed due to which the public at large is suffering a lot.

Raja Ibrar Hussain and Ch. Shoukat Aziz, Advocates, have also filed applications that their clients are being treated in a discriminatory manner. The copies of the applications shall be sent to the Secretary Agriculture, Secretary Food and Advocate General for comments. This case is adjourned and shall be taken up on _____ March, 2022.