

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C)PIL 9/2025 CM(5235/2025) CM(5762/2025)

MIR UMAR

...Petitioner(s)/appellant(s)

Through: Mr. Jehangir Iqbal Ganai, Sr. Advocate (Amicus Curiae)
Mr. Shafqat Nazir, Advocate
Mr. Mir Umar, Petitioner in Person

Vs.

UNION TERRITORY OF J AND K AND ORS

...Respondent(s)

Through: Mr. Mohsin Qadri, Sr. AAG
Mr. Bikramdeep Singh, Dy. AG
Mr. Hakim Aman Ali, Dy. AG
Mr. Waseem Gul, GA

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER

04-09-2025

On August 20, 2025, this Court had passed the following order:

“Mr. Mir Umar, a practicing lawyer, has petitioned this Court in public interest to highlight the unchecked sale of rotten, unhygienic and unsafe meat and poultry products in the Union Territory of Jammu and Kashmir. As also the gross negligence and insensitivity on part of the authorities concerned who fail to enforce Food Safety and Municipal Laws despite repeated Government advisories.

With reference to a column “Meet the Meat Mafia” in one of the local newspapers, he asserts that the hidden cartel feeds Kashmir with meat not fit for animals, let alone humans.

Notice.

Served with advance copies of the petition, Mr. Hakim Aman Ali, Dy.AG, for respondents 1 to 3, Mr. Bikramdeep Singh, Dy.AG, for respondent no.4 and Mr. S. S. Nanda,

Sr. AAG, for respondent no.5, are present in the Court and accept notice and pray for short accommodation to seek instructions and submit response.

However, learned counsel for the parties submit that considering the issue that requires consideration by this Court, Commissioner, Food Safety and Controller, Drugs and Food Control Organisation, UT of Jammu and Kashmir, Srinagar/ Jammu, would be the necessary party. Therefore, on their oral prayer, Commissioner, Food Safety and Controller, Drugs and Food Control Organisation, UT of Jammu and Kashmir, Srinagar/ Jammu, is arrayed as respondent no.6. Registry to update the cause title of the petition.

Accordingly, Mr. Hakim Aman Ali, Dy.AG, accepts notice on behalf of respondent no.6.

Response/ objections, if any, on behalf of the respondents be filed before the adjourned date failing which appropriate orders shall follow.

Learned counsel for the petitioner submits that in the meanwhile he shall also place on record the additional material that is germane to the matter in issue”.

Response on behalf of respondents 3 and 6 has been submitted. But despite the matter being sensitive, the Municipal Corporation(s), Jammu as also Srinagar have chosen to remain silent. Thus render no assistance.

Learned Amicus Curiae submits that immediate judicial intervention is warranted to address grave public health crisis in the J&K, particularly Kashmir valley, that stems from large scale sale of rotten, unhygienic meat, fish and poultry products. With reference to several reports published in leading newspapers and aired on television channels, he asserts that such meat and poultry is transported into J&K from different parts of the country in unhygienic conditions. Without cold-chain facilities and requisite certification by authorized veterinary officers. Thus, he submits, the apparent inaction and indifference on part of the concerned authorities including the Directorate of Food Safety, the Municipal Corporation(s), the Health Department as also the law enforcement

agencies to curb this menace, demonstrate gross administrative negligence and apathy. Something that is in violation of the Food Safety and Standards Act, 2006 as also the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011.

Further, the Jammu and Kashmir Municipal Corporation Act, 2000, mandates regulation, licensing, and inspection of slaughterhouses, meat markets as also the premises where food is processed or sold. But apparently the authorities have failed to discharge their statutory duties/obligations. Therefore, it is urged that recent discovery of large quantity of rotten meat in Kashmir has rather underscore the immediate need for strict regulatory mechanism.

Upon hearing learned counsel for the respective parties, we consider that to address the matter conclusively, Department of Sheep and Animal Husbandry, Housing and Urban Development Department, Union Territory of Jammu & Kashmir, for, it supervises and control all the Municipal Councils as also the Committees in the Union Territory of Jammu & Kashmir, Commissioner Sales Tax, Union Territory of Jammu & Kashmir, and, Inspector Generals of Police, Kashmir as also Jammu Zone, are necessary to be arrayed as party respondents.

Ordered accordingly.

Office to carry out necessary corrections in the array of parties.

Notice to the newly added respondents.

Mr. Mohsin Qadri, learned senior AAG accepts notice on behalf of newly added respondents and prays for a short accommodation to seek instructions and/or submit response. May do so three days prior to the adjourned date with an advance copy to the counsel for the petitioner as also the learned Amicus Curiae.

At this stage, our attention is also drawn by Mr. Shafqat Nazir, learned counsel for the applicant/petitioner to CM No. 5762/2025 and the documents appended therewith. He submits that the individuals who were earlier involved in the trade of rotten meat

have now diverted their business activities towards supply and sale of synthetic/adulterated cheese, which poses equally serious and adverse health hazards.

With reference to a column (Annexure I) in one of the local newspapers, he submits that following an intel from Government Railway Police (GRP) Jammu regarding the arrival of a suspicious consignment of cheese from Ambala, the Food Safety Wing of the Drug and Food Control Organization, J&K seized a huge consignment of 2100 kg (21 quintals) of adulterated 'Cheese' belonging to Shri Balaji Trading Company. Additionally, 78 tins of Trishool Brand Mustard Oil that had expired in 2023, were also seized. Accordingly, it is urged that public interest impels that the scope of this petition be further broadened.

In response, Mr. Mohsin Qadri, learned senior counsel for the respondents, as always, fairly submits that the matter at hand is not adversarial in nature and is being pursued in the right earnest for public good. He submits that a comprehensive affidavit, indicating the necessary measures and initiatives taken by the concerned agencies shall be filed before the adjourned date.

As prayed, adjourned to 10.09.2025, to be shown at No. 1 in the list.

In the meanwhile, Inspector Generals of Police, Jammu as also Kashmir Division and Commissioner, Food Safety and Controller, Drugs and Food Control Organization, Union Territory of Jammu & Kashmir shall ensure that no unsafe food, in terms of the Food Safety and Standards Act, 2006 is funneled into the Union Territory of Jammu & Kashmir.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

SRINAGAR
04-09-2025
Shameem H.