



## HIGH COURT OF CHHATTISGARH AT BILASPUR

### WPIL No. 75 of 2023

In The Matter Of Suo Moto Public Interest Litigation

**Versus**

The Chief Secretary & Others

### Order Sheet

<b>26/08/2025</b>	<p>This is an office reference.</p> <p>Heard Mr. Prafull N Bharat, learned Advocate General assisted by Mr. Y.S.Thakur, learned Additional Advocate General for the State/respondents.</p> <p>On the last date of hearing i.e. 19.08.2025, this Court had directed this matter to be listed on 17.09.2025, however, as a news report has been published today in Hindi Daily, Navbharat, with a heading “426 मासूमों की सब्जी में मिलाया फिनाइल, बची जान” and sub heading “भोजन परोसने के पहले खाने को चखने की शर्त की वजह से सामने आया मामला”, this Court has directed the matter to be listed today itself.</p> <p>The aforesaid news report is of District Sukma, Pakela</p>

Residential Potacabin School, and the incident is said to have taken place on 21.08.2025.

As per the aforesaid news report, in the night of 21<sup>st</sup> August, 2025, an incident occurred in which the vegetables cooked for 426 students, allegedly phenyl was found mixed. Since there is a condition prescribed by the Government that before serving the food, the same has to be tasted by the teachers, as soon as the vegetable was tasted by one of the teacher, a strong odour of the phenyl was observed which surprised everyone. According to the Superintendent of the Residential School, total 48 KG of beans was cooked for the dinner for 426 students and if the smell would not have been detected, it could have costed the life all those students.

Phenyl is a chemical substance. It is a disinfectant and floor cleaner used for cleaning, disinfecting, and deodorizing surfaces like floors, toilets, and drains, which is poisonous for the human beings. Even a single drop of the same would be fatal to the humans, especially small children.

As per the news report, the incident was immediately ordered to be enquired into by the Collector, Sukma who had taken the matter seriously and constituted a team comprising of Sub Divisional Magistrate, one DMC and APC. The students of the residential school have stated that the act of mixing phenyl in

the cooked vegetable was done by a Teacher posted there. One student has allegedly seen a person covering his face with a scarf (Gamchha) who was mixing something in the vegetables.

The magnitude of the incident is shocking. Had the contaminated food been consumed by the students, it is beyond imagination what devastation it would have caused to the lives of their parents and families, who repose their faith in the residential school system, believing that their children would be cared for like their own. Such an incident, if not promptly detected, could have shattered the confidence of society that students are safe in schools.

Though the Collector, Sukma has already ordered enquiry into the matter, we direct the learned State counsel to place the enquiry report before this Court as the aforesaid act is not only an act of negligence, but is also a criminal act which had put the lives of the students at stake.

It is a matter of grave concern that incidents of such nature are occurring repeatedly where the food meant for consumption of the students / small children either are prepared in unhygienic conditions or is being soiled / contaminated by dogs or other animals and the said food are allowed to be served to the children risking their lives.

Hence, this Court deems it appropriate to direct the Chief

Secretary of the State of Chhattisgarh, Raipur, to issue appropriate instructions to all the stake holders who are involved either in preparing or serving food/edible items, be it the Schools, Hostels, Anganbadi Centers, or any such places where small children/students are supplied food, that the same is cooked in a clean environment and in a hygienic manner taking all due precautions so that the same is not contaminated by any sorts of chemical substances, or soiled by animals, infected by insects etc. as even a slightest act of negligence could pose serious threat to the lives of the children which would in turn cause severe embarrassment to the State and administration.

The Chief Secretary, while issuing instructions, may take into consideration the following points:

### **1. Food Safety Protocols**

- Daily tasting and certification by teachers/wardens before serving food.
- Maintenance of a “Tasting Register” signed by the teacher and the cook.

### **2. Kitchen & Storage Hygiene**

- Kitchens and storerooms to be inspected at regular intervals by Designated Officers.
- Chemicals (like phenyl, pesticides, detergents,

kerosene) to be stored separately, away from food storage and cooking areas.

- Locks and sealed containers for grains, pulses, oils, and vegetables.

### **3. Supervision & Accountability**

- Appointment of a Nodal Officer in every District to oversee food safety in Schools/ Hostels/ Anganwadi Centers.
- Fixing personal accountability of the Headmaster/ Principal/ Warden for lapses.

### **4. Security & Access Control**

- Restriction of access of unauthorised persons to kitchen premises during and after cooking.
- Installation of CCTV cameras in kitchen and dining areas of residential schools/large hostels.
- Surprise inspections.

### **5. Training & Awareness**

- Regular training for cooks, helpers, and staff on food safety, hygiene, and handling of chemicals.
- Sensitisation of teachers and staff to report

suspicious activities immediately.

### **6. Medical Preparedness**

- First-aid kits and basic antidotes to be available in all hostels/schools.
- Tie-up with nearest PHC/CHC for emergency medical assistance.
- Mock drills on emergency response in case of food poisoning.

### **7. Community & Parent Involvement**

- Constitution of a Parent-Teacher Monitoring Committee for food safety.
- Review meetings with parents/community representatives at regular intervals (may be monthly/quarterly/half-yearly).

### **8. Criminal Accountability**

- Directions that any incident of deliberate contamination of food be immediately reported to the police and registration of FIR under the relevant provisions of IPC/BNS.

### **9. Reporting Mechanism**

- A State-level helpline or complaint mechanism for reporting food quality/safety lapses.
- Mandatory reporting of every incident, however minor, to the District Education Officer and Collector.

### **10. Regular Audit & Review**

- Quarterly/half yearly/yearly independent audit of Mid-Day Meal/Hostel food schemes by Food Safety Officers.

While issuing such instructions by the Chief Secretary of the State of Chhattisgarh, it should further be made clear that any lapses on the part of the responsible authorities would be viewed very seriously and they should be more vigilant and careful while preparing and serving the food to the students.

Let an affidavit be filed by the Chief Secretary, State of Chhattisgarh, Raipur, before the next date of hearing with respect to the steps taken by him.

List this matter on **17.09.2025**, as ordered on 19.08.2025.

Sd/-

(Bibhu Datta Guru)  
**JUDGE**

Sd/-

(Ramesh Sinha)  
**CHIEF JUSTICE**