RAJA VIJAYARAGHAVAN V.,
&
K.V. JAYAKUMAR, JJ.

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SSCR No. 37 of 2026

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Dated this the 11th day of November, 2026

O R D E R

Raja Vijayaraghavan V, J.

The learned Standing Counsel appearing for the Erumeli Grama Panchayat had submitted before this Court, when the matter was taken up for consideration on 22.10.2026, that a request had been made to the Joint Director of the Local Self-Government Department (LSGD), Kottayam, for the deployment of additional staff to enable the Grama Panchayat to conduct inspections and effectively prevent the use of synthetic kumkum and plastic sachets.

2. We had accordingly directed the learned Government Pleader to obtain instructions in this regard and apprise this Court of the steps taken on the request for additional staff.

3. The learned Special Government Pleader has placed before this Court an action taken report dated 30.10.2026, submitted by the Deputy Collector (General) and Additional District Magistrate on behalf of the District Collector, Kottayam, as well as the order dated 04.11.2026 issued by the Joint Director, Local

Self-Government Department, Kottayam. He has also placed before us the report submitted by the Drugs Inspector, State Drug Control Department, Kottayam District.

4. On a perusal of the order dated 04.11.2026 issued by the Joint Director, we find that eight squads have been constituted to undertake systematic inspections for the period from 13.11.2026 to 21.01.2027. Each squad comprises a Junior Superintendent/Assistant Superintendent, who shall function as the Team Leader, a Health Inspector, a Clerk and an Office Attendant (OA).

5. It is stated that the aforesaid squads will conduct inspections throughout the jurisdiction of the Erumeli Grama Panchayat. Their responsibilities include inspecting establishments to detect the use of prohibited and restricted plastic items and synthetic kumkum, ensuring cleanliness in commercial establishments and initiating appropriate corrective measures wherever violations are noticed. It is further stated that the squads have been directed to report before the Secretary of the Erumeli Grama Panchayat. The order also specifies the manner in which the inspections are to be conducted. We expect that the squads will discharge their assigned responsibilities effectively and ensure that the inspections result in tangible improvements on the ground.

6. The learned Standing Counsel appearing for the Erumeli Grama Panchayat submitted that the Panchayat had not received a copy of the order

dated 04.11.2026. We direct the Joint Director to immediately furnish a copy of the order to the Secretary of the Grama Panchayat and coordinate with the Panchayat to ensure the effective functioning of the squads. The Secretary shall be enabled to monitor their deployment and activities, coordinate the inspections and consolidate the findings. Periodic reports regarding the inspections conducted, violations detected and corrective measures initiated shall be maintained and submitted before this Court.

7. We have also perused the report submitted by the Drugs Inspector, Kottayam, regarding the measures initiated to prevent the sale, distribution and use of non-compliant chemical kumkum, with a view to safeguarding public health and environmental safety. It is stated that the Drug Control Department is committed to taking appropriate statutory action against the manufacture, sale and distribution of chemical or synthetic kumkum found to be in violation of the applicable provisions of the Cosmetics Rules, 2020, and other relevant statutes. The report further indicates that the Department has initiated awareness measures among street vendors, licensed establishments and cosmetic suppliers in and around the Erumeli Grama Panchayat. Posters highlighting the applicable labelling requirements and quality standards have been displayed to sensitise vendors and suppliers regarding the statutory requirements to be complied with in respect of kumkum products supplied by manufacturers within and outside the State. While such awareness measures are necessary, they must be complemented by effective

inspections and prompt enforcement action wherever violations are detected.

8. We direct the Secretary of the Erumeli Grama Panchayat and the Pollution Control Board, which also has an important role in addressing the issues raised in these proceedings, to closely monitor the situation and coordinate with the other Departments concerned. They shall provide the necessary inputs and assistance to the enforcement authorities so that violations are promptly identified, and appropriate remedial measures are taken. The objective must be to ensure that the restrictions imposed are effectively implemented and that the use of prohibited materials does not continue unchecked.

9. The learned Standing Counsel appearing for the Cochin Devaswom Board submitted that two Sabarimala Edathavalams are functioning in temples administered by the Cochin Devaswom Board, namely, (i) Mudikkode Temple and (ii) Chirangara Temple. In addition to these two Edathavalams, facilities for Sabarimala pilgrims are being provided at five other temples, namely, Chottanikkara, Kodungalloor, Sree Vadakkumnathan, Kurumalikkavu and Thiruvanchikulam. The learned Standing Counsel submitted that the necessary facilities for pilgrims have been arranged at all these temples. He undertook to place before this Court detailed reports from the Assistant Commissioners concerned, setting out the arrangements made and the facilities provided at each of these locations.

10. The learned Standing Counsel appearing for the Chengannur Municipality submitted that the Municipality has also made the necessary arrangements at the Edathavalams falling within its jurisdiction. He undertook to file an affidavit before this Court setting out the details of the facilities and other arrangements made by the Municipality for the benefit of Sabarimala pilgrims.

11. The learned Special Government Pleader (Devaswom) submitted that the Drugs Control Department is facing certain logistical and infrastructural difficulties in initiating prosecution under the Drugs and Cosmetics Act. It was pointed out that the process of initiating prosecution is time-consuming and involves procedural complexities. According to the learned Special Government Pleader, a more practical course would be to ensure that, whenever a violation is detected during a joint inspection, the Drug Inspectors undertake the seizure of the prohibited or non-compliant articles and entrust the seized items to the Grama Panchayat, enabling the latter to initiate appropriate action and arrange for their disposal. However, the learned Standing Counsel appearing for the Grama Panchayat submitted that unless offenders are prosecuted in accordance with the provisions of the Drugs and Cosmetics Act whenever violations are detected, there would be little deterrence against the recurrence of similar offences. Merely seizing and removing the prohibited articles, without taking appropriate action against those responsible for their sale and distribution, may not adequately address the problem.

12. In view of the submissions made before us, we direct the learned Special Government Pleader to ensure the presence of senior officers of the Drugs Control Department before this Court so that the logistical and infrastructural difficulties faced by the Department can be examined and appropriate remedial measures suggested.

Post on 19.11.2026.

Sd/-

RAJA VIJAYARAGHAVAN V,
JUDGE

Sd/-
K.V. JAYAKUMAR,
JUDGE

APM