



# JUDGEMENT ANALYSIS

**State of U.P. & Ors. Vs. M/S Lalta Prasad Vaish and sons  
(MANU/SC/1146/2024; 2024 INSC 812)**

**The Nine Judge Constitution Bench upheld the power of the States to regulate industrial alcohol by 8:1 ratio.**

**Bench:** CJI D.Y. Chandrachud, Justices Hrishikesh Roy, Abhay S Oka, J B Pardiwala, Manoj Misra, Ujjal Bhuyan, Satish Chandra Sharma, Augustine George Masih, B.V. Nagarathna

Issues	Majority view CJI D.Y. Chandrachud & Others	B.V. Nagarathna
Is industrial alcohol covered under Entry 8 of the State List, granting it exclusive jurisdiction and control to the state?	 Yes	 No States are denuded of their powers to pass any law insofar as the said subject-matter is concerned.
Whether the parliament has the competency to enact laws?	Parliament does not have the legislative competence to enact a law taking control of the industry of intoxicating liquor covered by Entry 8 of List II in exercise of the power under Article 246 read with Entry 52 of List .	Agreed with the majority view

Issues	Majority view CJI D.Y. Chandrachud & Others	B.V. Nagarathna
Whether the expression 'intoxicating liquors' in Entry 8 of List II of the Seventh Schedule to the Constitution includes alcohol other than potable alcohol?	Entry 8 of List II is based on public interest. It seeks to enhance the scope of the entry beyond potable alcohol. Entry 8 covers alcohol such as rectified spirit, ENA and denatured spirit which are used as raw materials in the production of potable alcohol and other products. However, it does not include the final product (such as a hand sanitiser).	The entire controversy cannot be viewed from the point of view of alcohol being used as a raw material and final product such as hand sanitizer containing alcohol. The potential misuse of alcohol cannot be the basis for interpreting an Entry such as Entry 8 – List II.
Whether the Supreme Court's ruling in Synthetics and Chemicals Ltd. v. State of UP is correct?	Overruled	Upheld As the judgments continues to be good law