

Comptroller and Auditor General of India thereon, under sub-section (1) of section 619A of the Companies Act, 1956. [Placed in Library. See No. LT-5313/73].

Notifications of Ministry of Agriculture

SHRI ANNASAHAB SHINDE : Sir, I also beg to lay on the Table a copy each (in English and Hindi) of the following Notifications of the Ministry of Agriculture (Department of Agriculture), under sub-section (2) of section 63 of the Wild Life (Protection) Act, 1972 :—

(i) Notification G.S.R. No. 225-(E), dated the 1st May, 1973, publishing the Wild Life (Stock Declaration) Rules, 1973.

(ii) Notification G.S.R. No. 226-(E), dated the 1st May, 1973, publishing the Wild Life (Transactions and Taxidermy) Rules, 1973. [Placed in Library. See No. LT-5314/73 for (i) and (ii)].

SHRI ANNASAHAB SHINDE : Sir, I also beg to lay on the Table a copy each (in English and Hindi) of the following Notifications of the Ministry of Agriculture (Department of Agriculture), under sub-section (6) of section 3 of the Essential Commodities Act, 1955 :—

(i) Notification S.O. No. 376(E), dated the 5th July, 1973, publishing the Fertilizer (Movement Control) (Amendment) Order, 1973.

(ii) Notification G.S.R. No. 342-(E), dated the 7th July, 1973, publishing the Fertiliser (Control) Second Amendment Order, 1973.

[Placed in Library. See No. LT-5316/73 for (i) and (ii)].

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (PROF. SHER SINGH) : Sir, I beg to lay on the Table, under sub-section (6) of section 3 of the Essential

Commodities Act, 1955, a copy each (in English and Hindi) of the following Notifications of the Ministry of Agriculture (Department of Food) :—

(i) Notification G.S.R. No. 305-(E)/Ess. Com./Sugar, dated the 5th June, 1973, publishing the Sugar (Price Determination for 1972-73 Production) Third Amendment Order, 1973.

(ii) Notification G.S.R. No. 327 (E)/Ess. Com./Sugar, dated the 28th June, 1973, publishing the Sugar (Price Determination for 1972-73 Production) Fourth Amendment Order, 1973.

[Placed in Library. See No. LT-5316/73 for (i) and (ii)].

REPORT OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

SHRI BALRAM DAS (Madhya Pradesh) : Sir, I beg to lay on the Table a copy of the Twenty-second Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the Ministry of Home Affairs—Tribal Development Blocks in Madhya Pradesh.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Reported Large-Scale adulteration of 'Besan' with 'Kesari dal'

SHRI HARSH DEO MALAVIYA (Uttar Pradesh) : Sir, I beg to call the attention of the Minister of Health and Family Planning to the reported adulteration on a large-scale of *besan* with *kesari dal* which could lead to paralysis of lower limbs of the consumers.

[MR. DEPUTY CHAIRMAN in the Chair.]

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (PROF. A. K. KISKU: Sir, the Inspectors of the Delhi Municipal Corporation collected 65 samples of 'besan' from the market, both from the whole-salers and retailers, during the period from the 1st June, 1973 to 30th July, 1973. Out of these, 42 samples were found adulterated with 'Kesari Dal' and two with insect infestation. The extent of adulteration ranged from 5 to 80%. Necessary action under the law is being taken against the adulterators.

The Experts are of the view that the excessive consumption of 'Kesari Dal' for prolonged period causes 'lathyrism' which is a neurological disorder characterised by paralysis and particularly affects young adults. 'Kesari Dal' is mainly cultivated in Madhya Pradesh, Bihar and West Bengal.

In accordance with the provisions of the Prevention of the Food Adulteration Rules, sale of 'Kesari Dal' is banned. However, such a ban would be effective only from the date to be notified by the respective State Governments. The State Govts. of Madhya Pradesh, Bihar, West Bengal and Gujarat have not issued the necessary notification in this regard.

The primary responsibility for the enforcement of the Prevention of Food Adulteration Act in Delhi is with the local bodies. From the number of samples taken and tested during the last five years, it has been observed that the percentage of the samples found adulterated has been on the increase. The local bodies have been advised from time to time to strengthen the enforcement machinery. The Delhi Municipal Corporation has set up two special squads with 16 whole-time Food Inspectors and two Chief Food Inspectors. The New Delhi Municipal Com-

mittee has 3 wholetime Food Inspectors and one Chief Food Inspector working in their area. In addition, two Chief Sanitary Inspectors and four Sanitary Inspectors have been designated as Food Inspectors. The Delhi Cantonment Board has designated two Sanitary Inspectors and one Sanitary Superintendent as Food Inspectors.

Government feels greatly concerned about the menace of adulteration of foodstuffs in the Capital and fully shares the anxiety of the Hon'ble Members in this regard. We have held consultations with the concerned authorities and necessary measures are being adopted for streamlining and strengthening the existing organisation with a view to making the enforcement machinery more effective. Special drives are also being organised for creating public alertness. The Citizens' Central Council is also taking special interest in tackling this problem through public vigilance.

SHRI HARSH DEO MALAVIYA : Sir, we very much appreciate the hon. Minister's statement that the Government is very much concerned at this development. But I would like, with your permission, to place before the House certain facts which have been coming to our notice during the last two or three months.

MR. DEPUTY CHAIRMAN : Please be very brief.

SHRI HARSH DEO MALAVIYA : In the Hindustan Times of 18-7-73, there is the following news item :

"Around 25 wagonloads of common salt destined for the Delhi market have been declared unfit for human consumption by the Central Health authorities.

The salt had been sent from Rajasthan earlier this month. It had an 88 per cent sodium chloride content against the prescribed 96 per cent relaxable at the most to 92 per cent."

This is the salt that we are eating.

Now, Sir, even the capital's petrol is adulterated. Here is a news item in the Times of India dated the 9th May 1973 :

"Much of the gasoline being sold in the Capital is not up to internationally accepted standards. It is believed to be adulterated for it gives less mileage and produces more carbon monoxide, thus aggravating air pollution."

According to a recent sample survey conducted by the Delhi traffic police with the help of the Indian Institute of Petroleum, more than 50 per cent of vehicles running on gasoline were found to be emitting 40 to 100 per cent more carbon monoxide than given out by gasoline of accepted standard."

Now, Sir, I come to fake drugs and beauty aids. Here is a news item from the Hindustan Times of 17-7-73.

"From toothpaste to contraceptives, a variety of spurious drugs, cosmetics and other goods are flooding the local chemist shops. For the unscrupulous, this is a new way to get rich quick. For the victim, the medicine is often more dangerous than his illness."

Till recently all the fake drugs sold in Delhi were being manufactured mainly in U.P. and Haryana. But now Delhi has its own centres for producing spurious medicines. The 3,782 unlicensed doctors, mostly in Moti Nagar, Uttam Nagar, J. J. Colony and in the trans-Jamuna area, provide a convenient outlet.

Imitation ampules of a certain life-saving drug are being sold in Daryaganj at Rs. 10 each. They contain only distilled water."

MR. DEPUTY CHAIRMAN : Mr. Malaviya, you must confine yourself to besan.

SHRI HARSH DEO MALAVIYA : It is a very serious thing.

MR. DEPUTY CHAIRMAN : Then you should have asked for a calling attention giving full details of all these incidents. You confined yourself to besan and kesari dal. Then you come to the House and start asking about drugs and all that. If the Minister does not answer, I am not responsible. I cannot protect your rights.

SHRI HARSH DEO MALAVIYA : I am coming to besan. I will read out a passage from today's Times of India under "Current Topics" :

"The report that four-fifths of the besan (gram flour) sold in Delhi is mixed with kesari dal which can cause paralysis may startle some people. But the fact is that this kind of adulteration has been going on for years and not just in Delhi. Huge consignments of the poisonous dal regularly find their way to various states. Only the other day more than 10,000 tons of it sent by merchants in Madhya Pradesh were seized in Mysore. It is also being sold openly in Maharashtra, Bengal and Kashmir."

Sir, I would like to point out that there are so many other things also. As you don't allow me, I will stop. So, what I want to say is that the whole question of adulteration is almost in an epidemic form. The people of the city are afraid of buying goods from the market. We do not know what to eat. There is so much adulteration. I want to know what steps the Government has taken to prevent all this. I have got certain figures. If you do not mind, I would like to read it out. If there were about two to three thousand cases of adulteration found, prosecutions were launched only in about 290 cases. So, it seems that there is a collusion with the Food Inspectors, there is no inspection at all.

[Shri Harsh Deo Malaviya]
Adulteration is a regular phenomenon in the capital. I would like to know how the Government proposes to stop this menace.

Secondly, has the Government got any idea in its mind, does it realise that this is due to the absence of a fair distributive machinery for such drugs, agricultural products, food articles etc.? Will the Government seriously think of taking over or organising a proper distributive machinery with regard to these things?

(Interruptions)

MR. DEPUTY CHAIRMAN : Let the Minister answer please. (Interruptions). I have as much interest as you have probably more but then there must be some order in the House.

THE MINISTER OF HEALTH AND FAMILY PLANNING (SHRI R. K. KHADILKAR) : So far as the adulteration cases of dal and the cases that came to our notice are concerned, all the facts are very precisely stated in the statement. The main question is, as Mr. Malaviya put it, the evil is too rampant. Not only are there cases of dal or the other cases that have come to the notice of the Members in this House but a number of food articles are being adulterated and spurious drugs are sold in the market. We have stated that our machinery is there but I must confess, under the scheme of the new Act 1964 though the Centre has taken the concurrent power, the machinery is supposed to be in the hands of the local bodies, the State Governments and some inspectors from the Centre. Whatever vigilance is exercised, it is extremely difficult to deal with this problem of menace, I would say, social menace. Two aspects are there. The one is that the people do not show any great concern about it. A little indifference is there. As I said, it is sometimes synical indifference shown towards the social crimes in our

country. When it is detected, so many procedures; hazards are brought to bear. There are local influences also from various persons belonging to various parties to save the offender. The judiciary takes a very lenient view.

SHRI BHUPESH GUPTA (West Bengal) : This is very wrong. He has said : "Influences belonging to various parties". The party should be named and you should start from the big party.

SHRI R. K. KHADILKAR : As I was saying, it is well known to everyone that food articles, particularly spurious drugs are adulterated or fake manufacture is going on but in a situation like this whatever vigilance we exercise, unless people's conscience is roused and all people cooperate in building up some sort of resistance, I do not think this evil could be eradicated. Let us be very frank about it. It is so widespread, I know it.

The second question that he raised was about the distribution system in our country. He is right when he said that with the growing urbanisation the distribution system of articles, particularly of daily consumption, has remained to be the old pattern of distribution system.

Neither there is a public distribution system nor is there some private agency having a chain store or branches so that wherever you purchase that agency will be held responsible. Unless this is done, unless sufficient attention is given to the distributive aspect and the machinery available, how it can be a little above board, I do not think mere punitive action will help. As I have said, in enforcement there are these difficulties.

डा० साई महावीर (दिल्ली) : श्रीमन, एडल्टरेशन सब जगह पर है। भूपेश जी कह रहे थे कि सरकार में कितना है यह भी हम जानना चाहते हैं। जो हम जानते हैं वह तो

यह है कि सरकार में उनकी पार्टी का एडल्ट-रेशन है और जैसे इस कंसरी दाल से रेरेलेसिन होने का डर होता है, कुछ बंसी ही परेलेसिस गवर्नमेंट को हों गई दिखाई देती है और उनकी पार्टी के एडल्टरेशन से ही हुई मालूम होती है। लेकिन सरकार में एडल्टरेशन पर ध्यानार्कषण प्रस्ताव नहीं है, उसके लिए प्लान की चर्चा होगी बाद में।

अभी मैं मंत्री जी से एक बात जानना चाहता हूँ। क्या यह बात है कि कानून के अन्दर कोई इस तरह की कमी है जिसके कारण एडल्टरेटर्स के सोर्स तक हम पहुँच नहीं पाते, यानी एक रिटेलर की छोटी सी दुकान है, वह कहीं से होलसेलर से, किसी प्रोड्यूसर से, किसी फँक्ट्री से माल लेकर आया और वह बेच रहा है, वहाँ से जो नमूना भरा जाएगा उसमें उस रिटेलर के खिलाफ एक्शन हो जाएगा, कार्यवाही हो जायेगी, लेकिन वह सील्ड टिन्स दिखा दे, केश-मेमो दिखा दे, बिल दिखा दे, कहा से खरीदा है वह सोर्स बता दे तो भी आज के सिस्टम में सोर्स पर पहुँच कर होलसेलर को या प्रोड्यूसर को पकड़ा जा रहा नहीं होता? इस वजह से दो तरफ शिकायत होती है। एक तरफ तो यह होता है कि जो कलप्रिंट है, जो सचमुच में समाज का दुश्मन है और जिसको इतनी कड़ी सजा देनी चाहिए जो शायद हमारे पीनल कोड में नहीं है वह छूट रहा है और जो कोई इन्फोसेट, छोटा रिटेलर है, किसी छोटी जगह पर दुकान कर रहा है वह शिकजे में आता है। या तो वह इस्पेक्टर को रिश्वत देकर सम्पिल बदलवा कर किसी और धोखाघड़ी से छूटे, नहीं तो वह तकलीफ उठाकर और सजा भुगतें। तो मैं मंत्री जी से यह जानना चाहता हूँ कि यह सही है या नहीं? अगर कानून में इस तरह की व्यवस्था है तो वे बताएँ कि यह अधिकार है। जहाँ तक मैंने सुना है मेरी जानकारी है—हो सकता है कि गलत हो—उसके अनुसार सोर्स बताने के बाद भी, प्रूव करने के बाद भी सोर्स तक पहुँच कर भी वहाँ आप पकड़ने का काम नहीं करते। एक बात।

दूसरी बात। इस कानून के अन्दर एक और कमी है जिसकी तरफ मेट्रोपोलिटन कौंसिल और म्युनिसिपल कारपोरेशन दोनों ने सरकार का ध्यान दिलाया और वह कभी यह है कि बा तरफ के चेक्स किए जाते हैं सबस्टैंडर्ड गुड्स और एडल्टरेशन के। एडल्टरेशन तो यह है कि जैसे बेसन में मिलावट होती है, हल्दी में मिलावट है, कहीं गंधे की लीद हल्दी में मिलाई जाती है, कहीं घी के अन्दर मरे हुए जानवरों की चर्बी मिलाई जाती है, कहीं पर काली मिर्च के अन्दर पपीते के बीज मिलाए जाते हैं, जिसमें जहर है और इसको—जैसा मेरे मित्र बता रहे थे—और बढ़ाया जा सकता है। जहाँ एक तरफ एडल्टरेशन होता है वहाँ दूसरी तरफ एक और सम्पिल भी लिए जाते हैं सबस्टैंडर्ड गुड्स के। लाल मिर्च या साबुत हल्दी, साबुत मसालों के भी सम्पिल लिए जाते हैं और कहा जाता है कि इस हल्दी में कोई फ्लोकोस्टेन्ट इतना होना चाहिए वह नहीं है। मैंने सुना है कि लाल मिर्च के अन्दर तेल देखा जाता है और अगर तेल कम है तो उसके खिलाफ कार्यवाही होता है। साबुत मसालों में तो दूकानदार अपनी तरफ से मिलावट नहीं करता। कानून को इस तरह डिस्क्रिमिनेट तो नहीं होना चाहिए। आपने मेट्रोपोलिटन कौंसिल और कारपोरेशन की इस सिफारिश पर ध्यान दिया या नहीं कि कानून में इस तरह मशोधन करिण जिससे इस तरह के जनुइन ट्रडर्स को, रिटलर्स को और छोटे दुकानदारों को हेरासमेंट न हो? जहाँ इस तरह की कार्यवाही हो की जो ड्रम्स में मिलावट करके लोगों की सेहत के साथ खिलवाड़ कर रहे हैं या जैसे मरे हुए जानवरों की चर्बी घी के अन्दर मिलाई जाती है और वह देशी घी नाम पर बिकता है, कहा जाता है टेलो है और साबुन बनाने वालों को दे रहे हैं। लेकिन वहाँ से महोदय, दिल्ली के अन्दर सब लोग जानते हैं कि वह चलकर जिस घबत शी घी के नाम पर बेचा जाता है, उसमें शामिल हो जाता है। तो ऐसे खतरनाक

[डा० भाई महावीर]

किस्म के जो समाज शतृह जहां इनके वास्ते बहुत कड़ी कार्यवाही की जरूरत में रूकावट आती है, आपके पास अधिकार की कमी कानून की लुटि के कारण, वहां दूसरी तरफ साबुत मसालों के नाम पर लोगों को परेशानी में डाला जाता है। तो इन दोनों बातों पर क्या सरकार ध्यान देगी ?

तीसरा प्रश्न यह है कि ऐसे मसालों के बारे में जो कि दुकानदार कहीं से खरीदकर लाता है, क्या सरकार कोई ऐसी लबोरेट्री स्थापित कर सकती है जहा से कि जन्यूइन ट्रेडर अपने माल को पास करवाकर बेचने के लिए रखे ताकि सही तरीके से जो काम करना चाहता है वह धोखे में आकर न मरे और उसकी वजह से लोगो को तकलीफ न हो। ऐसे ट्रस्ट के डंग की लैबोरेट्री क्या सरकार बना सकती है या उसको मदद देकर खड़ा कर सकती है कि जो लोग उसमें अपना माल टेस्ट करवाना चाहे वह करवा सकें ?

SHRI R. K. KHADILKAR : It appears there is some misconception regarding the enforcement of that. It is not correct that only samples from the retailers are examined and they are being hauled up. In this case I may point out that we have taken samples from several mills in Delhi, for instance, Messrs. Goel Dal and Besan Mills ; Modern Flour Mills ; Ramkrishan Mills ; Khetilal Mills ; Kiranlal Lakshminarain Mills ; Sarprosh Mills and so many other mills. We have taken samples from those people who manufacture it. We go to the source. We seal them. We cannot seal the mill because they are also grinding wheat and other things and it will create difficulties. It is not correct to presume that we are dealing with retailers only and not the man who is producing the goods, where actually adulteration takes place in a big way.

DR. BHAI MAHAVIR : I was not limiting myself to these cases.

I was talking generally. In many cases the complaint is that even when a retailer is able to give proof and sealed packages of the product, the sample of which is taken, the staff do not go to the source. It is not taken into account as proof of having bought it from a particular source. He is told that he has to answer it and he will be tried for it.

SHRI R. K. KHADILKAR : This is also not correct in the sense that if some sample is discovered and if the source could be traced from the packing, certainly the Inspector goes to the source, but every time it is not possible. So, somewhere we must try to get hold of the offender and see whether we could prevent it. It is not always packed. As I said earlier, the main difficulty in our country is that the distribution trade is in traditional hands. It is in the hands of the small grocer and he sells so many other things without having any packet or without any price-tag. There is no standard stamped on it. This is the basic weakness in the distributive system and I think the time has come when we must give serious thought to this aspect of the matter. Then, the hon. Member said that there is some weakness in the Act itself. After the report and the amendment made in 1964 we do not find there is much of a weakness, but as I said unfortunately somebody is caught, a small grocer, generally there is no feeling of aversion that the man has committed a sin or an offence. On the contrary, they say : "Jane Deo". In some cases even Mayors have intervened saying : What is there ? You leave him.

These are the instances that I am giving from the records. This is the main thing. If we discover that the machinery needs to be further strengthened, will come for that before the House. But at the present juncture, our experience is this. There is the machinery. For instance, six months'

imprisonment is given. You will hardly find a case where the imprisonment is awarded, usually there is a fine or imprisonment till the rising of the court. The judiciary in our country in such social offences takes a very very lenient view. Unless we change it, it would be extremely difficult.

SHRI BHUPESH GUPTA : There is adulteration there.

DR. BHAI MAHAVIR : Is it proper that the judiciary be given a blanket certificate like that ?

SHRI R. K. KHADILKAR : I am prepared to place before the House the record of prosecutions and convictions and the amount of fine or some imprisonment and you yourself will draw this conclusion. It is not an exaggeration. Generally, the temper of the judiciary in such cases is rather too lenient, and they do not consider that this an offence against the health of the country, against the ordinary people, who just take a little food, and if adulterated it is really a danger to life. They do not take that view. This is our experience.

About testing laboratories, there are testing laboratories. In Delhi we have got one National Testing Laboratory. If the grocer himself suspects something, as the hon. Member himself gave us several instances, he must take the initiative and go to the laboratory and find out whether the article is adulterated or not. Such a widespread use of the laboratory system must be made. We have a laboratory. When we take a sample, we test it. But you have made a suggestion. It is worth considering. We can have more laboratories, well equipped, so that the grocer, if he is honest enough, let him go there and ascertain whether the article is adulterated or not, and he must go there. Such a system will help, and I will keep his suggestion in mind.

डा० भाई सहावीर : मैंने यह पूछा था कि कानून में सबूत मामले जो हैं उनका कई बार सैम्पल ले कर इस तरह से प्राजिक्युशन होता है कि उनके किसी कैमिकल कम्पोनेंट में था कैंटेंट में कोई फर्क है। अडल्ट्रेशन के सम्बन्ध में मैं यह जानना चाहता हूँ कि क्या इन दोनों चीजों को सेप्रेट किया जा सकता है। सबूत हलदी का जहाँ तक सवाल है उसमें अगर कोई कमी है...

श्री उपसभापति : उन्होंने बताया कि कानून में खामियाँ हैं। वे इसको मानते हैं।

डा० भाई महावीर : उन्होंने कानून की खामियाँ नहीं मानी।

SHRI R. K. KHADILKAR : Yesterday we sighted this; unfortunately, horse-dung is mixed in this *masala* and it is being sold. We have got samples at several places. Now, that particular article is not sold in a package, people buy in small quantities.

MR. CHAIRMAN : What he wants to know is whether certain commodities that are sold are sent to the laboratories for testing, and when it is found that a certain chemical composition which is required is not found there, they are prosecuted, although it is not adulterated. That is what he means.

SHRI R. K. KHADILKAR : Sub-standard ?

डा० भाई महावीर : उपसभापति महोदय मैं शायद क्वेश्चन ठीक नहीं कर सका। पिछी हुई हलदी में घोड़े की लीद की मिलावट हो सकती है। लेकिन जहाँ तक अनशाउड, अनपाउडर्ड हलदी का प्रश्न है, कानून में उसका टेस्ट कर के कि उसमें किस आयल की या किस कैमिकल कम्पोनेंट की कमी है उसकी वजह से प्राजिक्युशन हो सकता है। इसमें डीलर की कोई डाइरेक्ट रेस्पॉसिबिलिटी दिखाई नहीं देती है।

SHRI R. K. KHADILKAR : It is adulteration which makes an article sub-standard. Is it that this is also considered as adulteration, liable for prosecution? Actually the machinery takes care of adulteration which is harmful, which is of a certain percentage. Substandard things are examined but a lenient view, not a stringent view, is taken. If there is a continuous process of adulteration then alone you can take a serious view.

DR. K. NAGAPPA ALVA (Mysore) : Sir, I gave a calling attention notice yesterday....

SHRI R. K. KHADILKAR : I would like to supplement on the definition of adulterated articles and sub-standard articles. Some suggestions have come to us and they are under consideration.

DR. K. NAGAPPA ALVA : Sir, I gave a calling attention notice yesterday. The subject was connected with adulteration. It was more comprehensive. Anyway, it has been tagged on to this calling attention motion. Sir, for the information of this august House the subject is "Dangerous situation arising out of the mass scale adulteration of food articles causing immense damage to the life of the people, the national health and the national character". Sir, at the outset I must say that I have got all sympathy for the Health Ministry. I feel very much for their helpless position and also the apologetic explanations that are being given. I appeal to them to know the seriousness of the situation and inform the Planning Commission as well as the Central Government that they have failed in their duty to have the implementation machinery to implement the Prevention of Food Adulteration Act. I must say again that the present generation is living on adulterated food. Not less than 90 per cent. of the food are adulterated. Then there are three classes

of adulteration. Over and above, there is the dangerous quality also. As you go in for these things, the adulteration increases. There is poison also in it. It is slow poisoning and there is lingering death. The Government have miserably failed in curbing the menace. This has been going on increasing during the last 15 years practically. In 1966 the Health Ministry sent up a proposal to the Planning Commission. The Planning Commission agreed to the view to have laboratories worth Rs. 12 crores all over the country and make the State Governments also to co-operate fully so that they may have trained people, fully equipped laboratories and personnel to implement the net effectively analysis should be done at the correct time. Food adulteration should be considered to be social, heinous crime. Incidentally, I must tell you, Sir, that these food adulterants are produced on a mass scale in this country. Exhibitions were held in 1965 in Trivandrum and in 1966 in Delhi to prove all sorts of adulterants on a mass scale. These traders, these anti-social elements have succeeded in using the latest technology and science to do research so that they may manufacture these things and adulterate and go scotfree because the implementation machinery is not there at all. This is the truth.

There are only 63 laboratories and many of them are not well equipped. They are not properly manned. We do not have up-to-date precision instruments. Sir, the survey has shown that we required in this big country at least 500 laboratories. I am only trying to indicate the seriousness of the situation. Forty per cent of the people live below the poverty-line. Fifty per cent of the people suffer from malnutrition and under-nutrition. Sixty per cent of the children suffer from protein deficiency. And these are the persons who come from the lower strata. They become the main victims of the menace of adulteration.

The Minister himself admitted that the main responsibility of enforcing this Act is of the municipalities and corporations. We know the administration of the municipalities and by whom these things are being implemented. The Food Inspectors, Wealth Inspectors and Sanitary Inspectors are being purchased by these anti-social elements. Are we to go on with this kind of thing? (*Time-bell rings.*) Two more points, Sir, There is a graphic representation of food adulteration which I am having here and it shows that there is competition in adulteration. In Orissa it has gone up to 70 per cent and in Kerala it is 10 per cent. It is really more. I must tell you there is nothing like implementation. What I am emphasising is implementation. Top priority, among the national priorities, must be given for this by the Planning Commission. There is no use of putting questions and eliciting answers from you. The greatest damage is being done to the social and moral fabric of the country. There is no use of finding fault with the people. It is for us to educate them. At the same time, the Government must show to the people that it has taken note of the seriousness of the situation. It is unfortunate that the previous ruling party and the present ruling party have not taken note of the seriousness of the situation. So I appeal to you to get the maximum amount for this from the Fifth Plan so that we can have laboratories and trained people all over the country. Then only it will be possible to punish these people with ruthlessness and build up national health and also national character. It is only by firm administration that it can be done.

SHRI R. K. KHADILKAR : The suggestion that we must have a network of well-equipped testing laboratories, as I have said, is worth considering. If at the State level and at the Central level, a net work of well-equipped laboratories is maintained and it

is made obligatory on the grocers and others that they must test whatever articles they have, perhaps we can put some restraint. But let us not forget one thing. In the present situation when prices are rising and there is scarcity, this adulteration business has become a little more prosperous. So, as I said yesterday, it is not a question of the Government and the Opposition. It is a question of those of us who are in a privileged position who can rouse the conscience of the people against those social crimes in our society. With combined effort, if we can build a strong consumers resistance movement, then alone we can control it. Otherwise these questions and answers will lead us nowhere.

MR. DEPUTY CHAIRMAN : Mr. Lakshmana Gowda, do you want to put any question?

SHRI U. K. LAKSHMANA GOWDA (Mysore) : In view of what Mr. Khadilkar has said—he has put the whole thing either on the distribution system or on lack of implementation machinery and lack of proper punitive punishment from the court—I can only ask him to be a little more vigilant and try his best to get the Food Adulteration Act implemented properly, and have an adequate number of well-equipped laboratories so that this evil comes down as quickly as possible at least to the extent that he can manage. I have nothing else to say.

SHRI S. S. MARISWAMY (Tamil Nadu) : I sympathise with the hon. Minister because whatever he said was nothing but abject confession of and the inability of his Department. The whole system is wrong. When a complaint is made against a dealer or manufacturer that he is supplying adulterated food, the Health authorities catch hold of the dealer or the manufacturer and they get some sample. They take three samples. One is left with the dealer or the manufacturer. Another is left

[Shri S. S. Mariswamy]

with the Health Authorities. The third one is sent to the Laboratory. And it takes nearly two months to get the result from the Laboratory. In the meantime, the corrupt machinery begins to work. Either the sample in the Health Office or the sample left with the manufacturer is either stolen or changed. And by the time the report comes, the whole case becomes stale. I am told that the samples are changed even at the Laboratories. So, Sir, the whole system is wrong. Suppose, I make a complaint against a dealer. I must be given a sample so that I may retain the sample. When they change the samples left with them, they cannot change my sample because I am the complainant. So, the Act must be amended in such manner. Number two : There is a specific case which I may tell you. Some years ago, a beverage dealer, who was selling a drink called 'Kismet' in Delhi, was caught because that drink 'Kismet' contained something not specified in the formula announced or some foreign substance was found in that. He was arrested and finally the truth came out that he was not at fault but the manufacturer was at fault. With great difficulty, a case was filed against the manufacturer in the court. The case lingered on for two years. By that time so much of political pressure was brought both on the Department as well as other people. And finally the manufacturer was let off with a fine of Rs. 2,000/-. There are a number of cases like that. Even today we have complaints from all over India. In Delhi itself, we have got 3,200 complaints. In Uttar Pradesh, there are 9,500 complaints. In Punjab, there are 6,000 complaints. In Rajasthan, they have got 4,200 complaints, and so on and so forth. But look at the statistics. How many people have been booked in the year 1972? About 935 cases were booked, but actually 200 people were convicted. If the present Act does not give room for the judiciary

to show leniency in the cases, then we cannot blame the judiciary. When you say, a fine or a sentence or both may be given, then the judiciary cannot be blamed. So, the Act must be amended in two ways. Number one : A sample must be left with the complainant. Number two : The Act must be amended in such a manner that the offender not only gets fine but also jail sentence.

SHRI R. K. KHADILKAR : We shall keep in view certain suggestions regarding the amendment of the Act, because we feel that if more deterrent provisions are made, we can meet the problem. He has mentioned one thing. I may say that if someone is caught, then the case lingers on for three or four years and ultimately nothing happens. I do not want to name, but a wellknown eating house in this city was caught for adulteration. The case lingered on, and afterwards, nothing happened. So, this is the aspect I was emphasising. Unless the judiciary takes a serious view of the matter, with all the amendments of the Act, I do not think we will be able to do justice. Regarding the sample, I can tell you, that a sample is given to the offender which can be produced in the court for checking. This is the present provision.

SHRI S. S. MARISWAMY : My point is this. Three samples are taken. I said I want you to take four samples so that one may be left with the complainant.

SHRI K. P. SINGH DEO (Orissa) : It was crystal clear from the Minister's reply that in spite of the little amendments which they made to the Act of 1964 and the steps which they took so far to curb this widespread phenomenon which, he calls a social evil, the policy has failed. There is adulteration in the most rampant way in the country. So I would like to know whether the Minister has any new strategy or any radical steps which he wants to take to

curb this social menace. Secondly, he rattled out some names of mills where they have examined some samples. I would like to know during the last five years how many times they have come to the aid of State Governments whenever any request was made by the various State Governments in trying to book or bring to justice such spurious manufacturers and wholesalers who did not belong to their province, who were from other provinces.

SHRI R. K. KHADILKAR : After the fourth amendment was made to the Act in 1964, after our gathering experience, we will consider whether it needs an amendment immediately or not. We will give serious thought to it. Regarding the mills, as I have said we seal stocks and proper action is taken against every mill or every grocer where it is detected that the sample is adulterated.

SHRI K. P. SINGH DEO : In the last five years I wanted to know how many times the State Governments appealed to the Centre for help in bringing to book such wholesalers and spurious manufacturers who did not belong to that particular State, but belonged to some other State. That he did not answer, Sir.

SHRI R. K. KHADILKAR : I will have to find out the exact details. I will place that information on the Table of the House when I get it.

SHRI BHUPESH GUPTA : The capital of India seems to have become an emporium of all-round corruption and adulteration. I do not know what is going to happen in the course of the next few years if these things are not put a stop to. According to the statement which has been given, we are told the extent of adulteration is ranging between 5 and 80 per cent. I do not know how much of it is near 5 per cent and how much of it is near 80 per cent. But it does appear that we have been living on 80 per cent adulterated food.

That is a thing connected with, well, some politics in some quarters. Not only that. Here it says out of 65 samples taken from the capital of the nation, 42 were found adulterated. This is the percentage. Fortytwo out of 65 were found adulterated. Therefore, this is a very serious situation. Now, if this thing comes to be known by the people, everybody will think that he is living, by and large, on adulterated food. I should like to know what the administration is actually doing. Judiciary is lenient. Well, it may be so. I am inclined to agree with him, it is lenient in such matters. It is also lenient in the case of unadulterated monopolists. We know that. Now, he talks of consumers' public, cooperation and all that. What are we to do? How are we to cooperate? Tell us. Unless the Government sets up its own machinery, intelligence machinery, to find out what is happening, also have a preventive machinery side by side with it, and an enforcement machinery too, the Government cannot deal with such a serious situation. On every single point in the fight against adulteration and corruption the Government is failing. These are interconnected things, corruption and adulteration. They indulge in adulteration through corrupt practices, through bribe sometimes, bribing in high quarters also. They are failing in the sector of intelligence; they are failing in the sector of preventive action and they are failing in the sector of enforcement of the existing law. Some people should call them to account. You say it is Delhi Administration. The Government should call them to account. Government should clarify whether they have tried to find out from the various investigations or disclosures or revelations as to how the menace could be tackled at various levels, at the retailers' level, at the wholesalers' level and at the original production point. Have they considered this? There is no indication of it in the statement. How can you do it at

[Shri Bhupesh Gupta]
 the source? An Inspector goes to the source and says I have come from Delhi to find out whether you have anything to do with Kesari Dal. Who is going to oblige him by showing him the adulterated stuff? He will be shown some good stuff. Or, the Inspector will come back with the unadulterated stuff in one pocket and bribe in another pocket. This is the kind of statement that is being made here. What do you think you are and what do you think we are? Can you fight adulteration like this? Has it been ever fought like that? What are you there for? Various factors are there. What is the administration doing? Here it is stated that Kesari Dal is mainly cultivated in Madhya Pradesh, Bihar and West Bengal. In Madhya Pradesh, not merely adulteration, but corruption takes place. It has been said, that Rs. 20 lakhs have been offered to the Minister in order to get the bamboo deal. Kesari Dal adulteration is nothing. In the bamboo deal Rs. 20 lakhs come from the Birlas and it is stated on the floor of the House. What are you going to do about that. Then comes West Bengal. We are supposed to be the supplier of Kesari Dal. I suppose you are not affected by it because you look so healthy and handsome. Now, what about West Bengal Food Ministry? The Food Ministry is full of corruption to say the least. Confidential Assistant to the Food Minister is a political appointee. He is Shri A. K. Das Gupta. He has been arrested and is locked up for indulging in black-marketing, and issuing licences for wheat bran to friends, relatives and other various people. Everybody knows that. It is done with the help and support of the Food Minister himself—Shri Kasikanth Moitra. But he still remains there. I demand that he should resign and offer himself for investigations and should be later arrested. Coming back to adulteration, I would

suggest that Government should not just go by the sample packets. There should be proper research and analysis as to how the enforcement and preventive machinery should be organised all over Delhi in order to deal with this menace. Secondly, officials should be made responsible to unearth localities where this evil exists. For example, they should be clearly told: Within your beat locality, if adulterated food stuff is found, you will be *prima facie* held responsible. Officers should be more active. Now nobody is responsible. If you give me an area and ask me to ensure about quality food, then I should be held responsible when adulterated food is found in that area. Has any official been called to explain his conduct? Has Delhi been divided into separate zones for this purpose and have you put various officers in charge of each zone? Nothing of the kind has been done. What can you do?

Sir, at the New Delhi station I have seen the scooter drivers and others bribing the police right under your eyes and charging the people higher fares which are not according to the meter and they are entering into a contract with the police. Nothing is being done.

SHRI MAHAVIR TYAGI (Uttar Pradesh) : Mr. Bhupesh Gupta, please appreciate one thing : So long as the Government at the Centre and the Governments in the States are adulterated with undesirable elements, you cannot stop this.

SHRI BHUPESH GUPTA : Sir, I thought that their adulteration was somewhat reduced in 1969. Sir, it is a very relevant point and I do realise it. But I was under the impression that after 1969, after the split in the Congress, some of the adulterated stuff had been sent out and it was less harmful thereafter. But nothing has happened. Adulteration again. In

1969, there was the end of adulteration. Now, readulteration. You have understood that point, Mr. Tyagi. I entirely agree with you.

Sir, I have told you about the Madhya Pradesh thing. What can you do about the source of adulteration? Dr. Bhai Mahavir was right when he said that you must go to the source. The real sources may not be the retailers. There may be some guilty people in some cases. But the bigger ones at the top, they do it surely. But you punish them. I do not mind if you are a little lenient. But what about the source, the wholesalers, the big people, the producers? They are not to be caught at all? If you think that the pipeline of finance must work between them and some centres of political power, you cannot have it and you cannot do it. Have you understood that Mr. Khadilkar? I hope you have. If between the centres of political power and the policy-making people on the one hand and those people who indulge in profiteering and black-marketing and corruption on the other that pipeline is at work, I am afraid adulteration will continue to flow like the Jamuna which is in spate during the rainy season and you cannot stop it. So, Mr. Khadilkar, try to comprehend the problem in the right perspective and with a wider outlook and have some courage to deal with the problem.

श्री शंकर लाल तिवारी (मध्य प्रदेश) : आन ए प्वाइंट आफ आर्डर, सर। उपाध्यक्ष महोदय, यह प्रश्न केसरी दाल से सम्बन्धित है। माननीय सदस्य इतना समय ले रहे हैं। हम लोग मध्य प्रदेश से आते हैं और हम भी कुछ कहना चाहते हैं।

MR. DEPUTY CHAIRMAN : But he has finished.

श्री राम सहाय (मध्य प्रदेश) : श्रीमन्, भूपेश गुप्त जी ने...

श्री उपसभापति : आप भूपेश गुप्त जी को छोड़िये।

श्री राम सहाय : मैं उनसे यह कहना चाहता हूँ कि जब उनकी गवर्नमेंट वहाँ केरल में थी, तो केरल गवर्नमेंट ने बिड़ला को बुला कर के इस प्रकार का ठेका दिया था।

SHRI R. K. KHADILKAR : Sir, he has covered a very extensive ground. While he was arguing, his arguments were so entangled and adulterated in a way, the ideological bearing and the practical solutions having got mixed up and so, Sir, it would be very difficult for me to take up a particular point from his arguments and give him a reply. As I said earlier, apart from other things, whatever efforts of ours may be in this regard to strengthen our machinery, unless the articles of necessity are supplied in standardised forms, this thing cannot be detected and protection cannot be given. So, unless distribution machinery for these articles, vital articles is set up, whatever we may do, it would be difficult to eradicate it. The other things are not relevant.

SHRI BHUPESH GUPTA : Sir, what about the allotment of areas to various people in different zones and making them responsible for looking after these things? They are all relevant points. Because I mentioned about the Birlas and other things you do not like to answer my question? Forget that part if you like and answer to this portion of my question.

SHRI R. K. KHADILKAR : The point is that Food Inspectors of the Corporation or of the State Governments or, in some places, of the Centre also, are keeping a watchful eye, but if you are...

SHRI BHUPESH GUPTA : Where ?

SHRI R. K. KHADILKAR : ... to give them demarcated areas, then we will have to consider these questions : how many Food Inspectors in a city like Delhi, what areas they are to supervise and detect, etc. and, therefore, it is practically a difficult problem...

As I said earlier, we will have to give a fresh thought how to 1 P.M strengthen the machinery on the one side and how to have a network of food testing laboratories. The third thing is that it is a public corporation. Those people who live in ivory towers have no contacts with the market. He rarely goes to the market. What does he know what happens there...

SHRI BHUPESH GUPTA : To buy your adulterated things, I should go to the market ?

(Interruptions)

SHRI K. P. SUBRAMANIA MENON (Kerala) : Among the many blessings of the Congress rule which we enjoy in this country, a new blessing has been added, and that is food adulteration. Being spiritualist, the Congress Government is making our way to Heaven easier and shorter. This is what is happening...

MR. DEPUTY CHAIRMAN : To Heaven or hell ?

SHRI K. P. SUBRAMANIA MENON : To Heaven, because we are all going to Heaven. The Congress Government is making it shorter and easier.

Now, Sir, this question has been raised so many times and I am surprised at the helplessness of the Minister. I have myself demanded in this House that food adulteration, manufacture of spurious drugs, its marketing, etc. should be considered on par with culpable homicide, because this is a sure mur-

der of the people—not of one man but wholesale murder of the people. Why can't this crime be included as on par with the culpable homicide under the Criminal Procedure Code, and these people arrested on that account? But the Government is afraid to do it, because most of the adulterators are big people; they catch only the small people. These big people like the Modi Flour Mills, give a lot of money to the Congress. What does it matter if a lot of people die of hunger, of other diseases like paralysis? The Congress should get its vote and its money. This is the whole thing. In Kerala, Sir, it is a widespread practice that coconut oil is mixed with white oil; it is a petroleum product, and this is very dangerous and it can cause a lot of physical weakness and all that. I am asking the Government whether the Government is prepared, in view of the seriousness of the situation, to make food adulteration and sale of spurious drugs, etc., a crime under—I forget the section—the section dealing with culpable homicide.

SHRI R. K. KHADILKAR : This is a suggestion. When we think of amending the Act, we will keep in view that deterrent punishment is given...

MR. DEPUTY CHAIRMAN : He wants capital punishment. Mr. Brahma-nanda Panda.

SHRI BRAHMANANDA PANDA (Orissa) : Sir, I want only two clarifications. I appreciate the forthright manner in which the Minister has answered questions, but somehow or other he sounded pessimistic. Either we all sit together and sign our death warrant and hand it over to him, or we do something seriously. Every day, not only the prices are rising but every day, adulteration is also increasing. I do not agree with the Minister when he says that when they go and see that *besan* is being adulterated in one part of the mill where work is going on, they

are not sealing the mill. I do not agree with him. When adulteration is done in one article, it is always natural that they will be doing it with other articles also. Strong legislation should be there to see that if a mill is found to be adulterating in any item of food-stuffs, that mill has to be taken over immediately, without compensation. If he goes to the court and the court takes a lenient view, we can give a promise to the hon. Minister that we shall all organize the people *gherao* that court. If you are so helpless, I think, adequate legislation must be there to strengthen your hands. Sir, adulteration has come to such an extent that you cannot think of anything unadulterated. We take adulterated water; we breathe adulterated air, and what not. I think there must be a strong legislation. The second point is that tonnes and tonnes of this kesari dal come to cities. Is there any utility of this demand cursed seed? If there are States in which this thing is grown, then we have legally and constitutionally constituted Governments there. Why do you not write to them or to the Governor if there is President's rule there to see that the production of this gram is not encouraged. It should be completely finished at the source. If you don't do this, then it will become a law and order problem. If you want that an adulterator should be effaced by the local people. I am with you. If you make him sit on a donkey and then parade him through the streets with people spitting on him, then I am with you.

MR. DEPUTY CHAIRMAN: Mr. Panda, nowadays, these adulterators have become so thick-skinned that even if people spit on them, they would like it because they can make more money.

SHRI BRAHMANANDA PANDA: Sir, in the next stop, he will be in the Lok Sabha or Rajya Sabha. They are criminals. Let us deal with them as criminals.

SHRI BHUPESH GUPTA: Why do you say that only these people who deal in adulterated goods have become thick-skinned? Some of our Ministers have also become so thick-skinned that whatever you might say, they never hear anything.

SHRI BRAHMANANDA PANDA: I hope that I will get some hopeful answers from you and not pessimistic answers.

SHRI R. K. KHADILKAR: There is some misconception about this kesari dal. It is very difficult to distinguish between chana dal and kesari dal. It is grown in Madhya Pradesh, Bihar and West Bengal. It is poor man's food. It is easily grown without much water and it meets their needs. The only protection one has to take is to boil it thoroughly and to throw away the water so that the toxic content is removed. It is being taken to other cities. As I said, there are poor people and these adulterators take advantage of it. The only thing we will have to find out is whether the Food Department in the areas where it is grown can do something about it to see that the toxic content is removed and then alone this dal is exported. Otherwise, even if we ban it, some export will take place. This is the present position. About the other matters, he has expressed his anger. Every body is angry. It is an impotent anger to be very frank, unless...

SHRI BHUPESH GUPTA: This kind of potency you have displayed in this matter is historic.

SHRI R. K. KHADILKAR: What I suggest is that we must apply our minds as to how to meet this special menace and prevent adulteration or manufacture of spurious drugs.