

THE PREVENTION OF FOOD AD-
ULTERATION (AMENDMENT)
BILL, 1964

THE DEPUTY MINISTER IN THE
MINISTRY OF HEALTH (SHRI P. S.
NASKAR): Sir, with your permission I
move:

"That the Bill further to amend
the Prevention of Food Adulteration
Act, 1954, as passed by the Lok
Sabha, be taken into consideration."

Sir, in moving this Bill I venture to
say that this House earlier in the year,
in June, 1964, discussed it, and then
the Bill was referred to a Joint Select
Committee of both Houses and there,
after deliberations, the Select Com-
mittee made a number of changes in
the Bill, and that Bill with those
changes came before the Lok Sabha,
and Lok Sabha made one or two
amendments to the Bill as presented
by the Select Committee, and the Bill
has now come to this hon. House for
passing.

Sir, the administration of the Food
Adulteration Act, 1954, during the last
eight or nine years, has revealed that
the machinery provided by the Act
had certain difficulties in coping
with the increasing tendency in the
country to take to food adulteration,
and so a revision of certain provisions
of that Act became necessary, and the
Central Council of Health at its meet-
ing held in 1960 reviewed the position
and recommended, *inter alia*, that cer-
tain penal provisions of the Act
should be made more deterrent, and
in the proposed Bill, Sir, the penal
provisions have been made more
deterrent to serve the purpose. Again,
Sir, under the existing Act there was
no power for the Central Government
to appoint public analysts or food
inspectors. It was vested in the State
Governments except in regard to
major ports, customs posts and rail-
way stations. The common practice
followed by the State Governments
was to appoint the employees of the
local bodies to act as food inspectors

and now, Sir, for the proper adminis-
tration of the present Act, it is con-
sidered necessary that the Central
Government should have concurrent
powers to appoint food inspectors and
public analysts.

SHRI NAFISUL HASAN (Uttar Pra-
desh): Even in States?

SHRI P. S. NASKAR: Yes, all over
the country. It is also considered
that the penal provisions of the Act
are inadequate and that there should
be more deterrent punishment for the
defaulters or the food adulterers. Sir,
while seeking some major changes in
the Act we have taken the opportuni-
ty also to amend certain other minor
points to remove the difficulties in
the administration of the Act.

With these words, Sir, I move that
this hon. House may consider the Bill
and pass it.

The question was proposed.

SHRI S. S. MARISWAMY (Madras):
Mr. Vice-Chairman, I wholeheartedly
welcome this Bill because it deals with
a very important matter, of giving
clean food to the poor people. If I
heard the hon. Deputy Minister right,
he said that the Centre was taking
powers to appoint food inspectors in
the States. I do not think so, Sir,
because I find the same old system
prevails here too in the Bill that is
presented to us. The proposed sub-
section 2(1) reads:

"The Central Government or the
State Government may, by notifica-
tion in the Official Gazette, appoint
such persons as it thinks fit, having
the prescribed qualifications to be
food inspectors for such local areas
as may be assigned to them by the
Central Government or the State
Government, as the case may be;"

I find the word 'may' in the amend-
ing Bill; it does not make obligatory
for the Central Governments to take
up the responsibility of appointing

food inspectors in all the States, and it leaves the responsibility to the State Governments as before which, I am sorry to point out, have not done their job satisfactorily so far. To support this argument, Sir, I have here the opinion of Dr. K. N. Rao, Director-General of Health Services who has said in one of his speeches, made recently, that "the progress of the Prevention of Food Adulteration Act during the last nine years had not been satisfactory, that adulteration was rampant and there had been very slow progress in the implementation of this Act." This is what he had said. This statement is also supported by another responsible person, Minister from West Bengal, Mrs. Purabi Mukherjee, who also had addressed the same meeting along with Dr. K. N. Rao, Director-General of Health Services, and she had said that "unless all the States implemented rigorously the provisions of the Prevention of Food Adulteration Act, this crime could not be minimised." So it is a unanimous opinion that the States, although vested with the power of appointing food inspectors, have not acted satisfactorily. As a result we find food adulteration on every side and consequently the people are suffering a great deal. It is quite all right for big people when they go from one place to another place to be fed by the bigger people of the other area. But what about the common people? It is not at all possible for them to get clean food anywhere. The Act, as it is operating now, is not enough to arrest this menace of adulteration. With a view to eradicating this menace this Bill has been brought but, unfortunately, the proposed section 9 is not obligatory on the Central Government to appoint the food inspectors. The food inspectors, as appointed now, are under local pressure. At times they are intimidated not to proceed with cases against the people who indulge in this nefarious trade. And there are political pressures also.

I can even quote an example, Sir. It happened in my State some time

ago at a place called Sivakasi, where they have mid-day feeding programme. In a particular school the teachers are asked to go and collect money and with it give the poor children food. On one day sixty-four children died and it was found that the food they took contained some poison. Then some enquiries were instituted. But nothing came out of it so far. This happened about eight or nine months ago. The report then was that the person who was responsible for that was somebody of that area, who had some connections with the local leaders there, who in turn had some connections with the higher-ups in Madras State.

So, Sir, unless the Centre takes over the responsibility of appointing food inspectors in the same manner as it has taken up the responsibility of appointing income-tax inspectors and others belonging to the department, this menace will not be eradicated. And the people who are indulging in this trade are very powerful people, if we think they are ordinary people who can be booked, we are actually deluding ourselves. It is not so they are very powerful people. At the time of elections they know which horse will win and they contribute liberally to those people and somehow or other they get into the good books of the ruling party and their henchmen in the local area. So they easily indulge in this sort of trade. What they add for the adulteration of food is something that even a mention of it would be repulsive. They add sawdust to tea leaves, clay balls to pepper, brick powder to chilli powder and lead oxide to turmeric powder. I am told by some eminent chemists that the admixture of lead oxide and turmeric is a very dangerous thing, because if there is too much of it in the turmeric powder, it may lead to leprosy and other dangerous diseases. So if you want to have this Act administered properly and if you want to assure our people proper food, people who are already underfed and who

[Shri S. S. Mariswamy.]
are already suffering from malnutrition because of the high price that is prevailing and for which I repeatedly blame the Government which alone is responsible for denying the poor people clean food, you have to take this necessary measure. To deny the poor people clean food is the worst crime that can be imagined. In America and other Western countries you can go anywhere to any street corner to any snack-bar, whatever food you get from there is the same food that you can get from Claridges in England or from Waldorf-Astoria in the U.S.A. except that the silver or the tables and chairs and other items in the hotel are different. The food is the same at all the places.

AN HON. MEMBER: No, no.

SHRI S. S. MARISWAMY: That is so and my hon. friend, Shri A. D. Mani, who was also with me in America will bear out this statement of mine.

SHRI A. D. MANI (Madhya Pradesh): Yes, that is so.

SHRI S. S. MARISWAMY: You can go to any street corner and you will find that the hamburger you get there is the same as the one you get from Waldorf-Astoria, except that it is served to you in a different manner, with silver and by liveried bearers. Except for this difference the food is the same at all the places. So this kind of assurance should be given to our people also. There are so many deaths in this country because of this food adulteration, but only when some big persons are affected do the cases get reported. I may quote one instance and that concerns the Union Minister of Law, Shri A. K. Sen. He was in Calcutta some time in August third week and this is what has been reported in the paper:

"Union Minister A. K. Sen who was in Calcutta last week for three

days is one of the many victims of adulterated mustard oil.

Mr. A. K. Sen, who was first down with beriberi is still suffering from several after effects caused by adulterated mustard oil taken in Calcutta. Medical experts are still trying to find out the exact adulterant and its cure. It might take another week for Mr. Sen to be restored to health."

I have with me some more instances, but I do not want to take up the precious time of the House in referring to them. I would plead once again that we must amend clause 9 which is now very vague and the Centre should take upon itself the entire responsibility of appointing the food inspectors all over the country so that they may transact their business without fear or favour. I am told that when the appointment of food inspectors is in the Concurrent List, it may not be possible to do this without amending the Constitution. But then we are amending the Constitution for various things, even for minor things and even to fulfil the whims of certain idealists. So why not amend the Constitution once more in order to give clean food to the poor people who are the backbone of this country?

With these words, Sir, I conclude my remarks and I hope that the Health Ministry will take up this matter seriously and do something to improve matters. Thank you.

SHRIMATI BEDAVATI BURAGOHAIN (Assam): Mr. Vice-Chairman, I rise to support wholeheartedly the Prevention of Food Adulteration (Amendment) Bill, 1964, which is now before the House. While supporting the Bill I would like to make a few observations. Though the Prevention of Food Adulteration Act of 1954 has been there, the malpractice of adulteration of food has not been eradicated as was our expectation. It is a great pity that we do not have

sufficient foodstuffs to meet our daily requirements. And what is worse, even the little quantity that is available is adulterated and this is very very injurious to our health. Nowhere in our country is pure food available.

For example, rice, pulses, atta, ghee, salt, mustard oil and different kinds of powdered spices such as turmeric, black-pepper, chilli powder etc., they are all adulterated to the maximum extent possible. And we cannot omit any of these items from our daily use. Milk, if it is mixed with pure water, is not so harmful to our health, though its milk-value will be less. But then where is the pure water? I think even the baby's food is not spared. We all want a strong and healthy nation for the defence of our country and for other purposes. But, Sir, how can we expect a strong and sturdy nation without pure food, I ask. The whole country and the nation is facing a life and death problem because of this menace of food adulteration. Adulteration of food is daily increasing and unless our Government comes forward to deal with the adulterators with a firm hand, there is no chance of curbing the anti-social activities of a handful of inhuman and unscrupulous persons who are playing with the lives of the present as well as of the future generations for their own enormous profits.

We the people of Assam use mustard oil as the medium of cooking but now pure mustard oil has gone out of the market. The oil that we get in the market has neither the smell nor taste of the pure stuff. We are daily consuming poison and we all know that we are shortening our longevity and causing our own death by a slow process. Not only that, we are also paying a high price for these adulterated food.

What is the way out for its remedy? In other words these unscrupulous people, are in no way better than the murderers. These people should

be given more severe punishment. Sir, imprisonment of six months or a fine of Rs. 1,000/- is nothing for these people compared to the profits that they make and the gravity of the offence that they commit. I suggest that their licences should be cancelled and their assets should be confiscated.

Next, I want to say a few words regarding tea adulteration, as tea also comes within the purview of this amending Bill. As we all know, tea has now become our national drink. It is consumed by both the rich and the poor alike all over the world. India is one of the major tea producing and exporting countries in the world. Tea is also the largest foreign exchange earner and it has a very important role to play in our developing economy. And so it is quite natural that our Government is anxious that not only the tea that is exported, but also the tea which is consumed internally are free from all kinds of adulteration and should be pure and of the requisite standard. I would like to suggest to the Government that the number of inspectors should be increased in order to help detection and conviction of the criminal adulterators. These unscrupulous traders, whether it is tea or any other foodstuff, deserve neither mercy nor sympathy from the society at large for committing social vices of the highest magnitude and they should not be treated lightly. On the other hand, heavy punishment is the only answer to meet the situation of the day. At the same time, proper safeguards must be there to ensure that no genuine traders and producers are victimised and unnecessarily harassed under this Prevention of Food Adulteration Act.

Legislation alone cannot succeed in eradicating the deep-rooted malpractice but the cooperation of the consumers is very much needed in order to root out this evil practice. I would also suggest that the Govern-

[Shrimati Bedavati Buraghain.]
ment should organise exhibitions with the help of voluntary organisations in different parts of the country, especially in villages where they may display the pure and the adulterated foods side by side and also explain to the public the bad effects of the adulterated food on our health. Then the people will be conscious of the danger and they will go in for pure food as far as possible. I can assure the hon. Minister that housewives will help the Government in this respect. Another thing which I would like to suggest which will help not only the Government but the public also if an item on adulteration of food which could be shown in every cinema house in the country at least for five or ten minutes. I think a greater section of the people will be benefited by this.

Now, I come to the laboratories. I do not know how many laboratories exist at present in the country to examine our foodstuffs chemically. There are certain things in which the adulteration can be detected with our naked eyes, by merely looking at them, but things like drugs, etc., require a thorough chemical analysis to detect the adulterant. During Question Hour this morning, the hon. Health Minister, replying to a question by Shrimati Tara Sathe, said that we can get our foodstuffs examined in the laboratory by paying fees but if the laboratories are not within our reach, it is not possible to do so and so I would request the Government to open more laboratories, at least one in every district headquarters with adequate facilities and the fees charged should be nominal.

With these few words, I support the Bill.

SHRIMATI SHAKUNTALA PARENJPYE (Nominated): Sir, I welcome this Bill and like the people who have appended Minutes of Dissent, do not think that it goes far enough

Food adulteration is the most serious crime in my opinion and I think people who want to profit at the risk of killing other people deserve only the capital punishment (Interruption.) For the second or third offence, at any rate, I think this should be considered. I have to tell the House of a very funny experience that I had when an exhibition on food adulteration was being held in Delhi. I went there with three friends of mine. It was a very hot day. It is difficult to imagine Delhi being hot today but it was a very hot day and we stood in the hot sun for over an hour and half. There was a long queue and as it was the last day, we wanted to see the exhibition. We were, therefore, standing with perspiration pouring down. I saw a number of people break off from the queue and go inside the exhibition, in spite of the watchman sitting at the gate. I saw one person go, then three or four and so on. I walked up to the watchman and asked him. I said that there were people standing patiently in the queue for hours together but people who hardly stood there in the queue were going inside. What do you think the watchman said? He said, "आप भी जाइये माता जी ।"

That was the answer that I received from the watchman. If that is the condition in respect of this exhibition on food adulteration, Mr. Vice-Chairman, I really wonder how, even after passing an amendment to this legislation, we are going to tackle this problem. How are we ever going to get any benefit? I think we ourselves have to reform ourselves.

I read the address given on the opening day by the Health Minister and I agree with her absolutely that it is the consumers who will have to realise their own rights and complain whenever they come across anything that smacks of hankypanky. I am a person who always complains. In fact, I do not know how many postal stamps I spend in that process but I have found that whenever one comes across anything that should

not be there, one does not stand upon one's rights. We must complain then and there and if we do not demand the exercise of our rights, I am not surprised that we get treated the way we are getting treated. She herself has said that law itself will not be enough however much we may amend it if we ourselves do not stand up for our own rights. Until we do that we are not going to get justice and fair deal and we are never going to get good food, good medicine or anything good because there will always be people who will want to profit. I know the people who are indulging in this nefarious trade will never keep quiet and they would be always thinking about this, how to by-pass this new amendment and if we want laws to be implemented properly, we will have to wake up. I read most of the evidence given and let me tell you, Sir, that it took away my appetite for more than a month; I just could not relish anything when I read the evidence pointing out the things that were being mixed. It was really awful and I turned against food during those few weeks that I was reading the evidence.

I think Mr. Jain, who gave evidence before the Joint Select Committee, mentioned that there should be summary trials in respect of these cases. I agree with him because the process of justice is very dilatory, it takes a very long time and in such cases the question of having summary trials should be thought of in order to deal with these people in a very quick way and in order that they may be brought to book in a very quick way. Inspectors are going to be appointed by the Central Government all over the States. I certainly welcome this. Many people have expressed the doubt that there may be chances of these being corrupted. People can get corrupted but it is for us to see that they do not get corrupted and it is for us to

bring to the notice of Government instances of people indulging in corrupt practices. I hear consumer societies are to be started all over the place and it is up to them to see that they get their food or the grain, whatever it is, in good condition. I have lived for quite a number of years in the West and I have seen how you get good things in the shop and you are sure of being given pure unadulterated stuff. I do not know when we shall have such things in our own country. Really, what ought to happen is that at every stage of the trade the grain or the commodity should get purer and purer. When the former brings it to the wholesaler he should see that he brings as pure a commodity as possible; when the wholesaler gets it, he should weed out whatever is left of impurities and then pass it on to the retailer. The retailer should do likewise so that by the time the consumer gets it it is in the purest form. We have heard from Mr. Mariswamy as to what happened to many of the people who consumed adulterated stuff. This is a good amendment that is being brought forward. I wish it could be more stringent. I know I have not moved any amendment. I should have moved an amendment for that purpose but I think, perhaps within a short time, they would be bringing forth another amendment to this measure and I would suggest that capital punishment or life imprisonment or confiscation of property should be thought of in the punishment that is to be given to these people.

That is all that I have to say and I say again that every adult consumer should examine the stuff he gets from the market and should put up a complaint if he finds that it is not up to the mark.

SHRI NAFISUL HASAN: Mr. Vice-Chairman, Sir. I rise to give my general support to this amending Bill. I have gone through the provisions and

[Shri Nafisul Hasan.]

I find that the main thing provided in this is an enhanced maximum punishment which has now been raised to six years. Having regard to the increase we find in food adulteration and also because it affects not only the health but even the life of the people the proposal to increase the punishment is fully justified. There is, however, one aspect of the matter which should not be lost sight of. Of course, if there is proper administration of this measure there is nothing to fear but the way it has been administered in the past when the Food Inspectors who dealt with the prosecutions were succumbing to the temptations that came in their way, now with the punishment being increased the temptations will also increase because if formerly a man who committed an offence of this kind was prepared to offer Rs. 200 he will now be prepared to offer Rs. 500 for saving himself. I am glad—though the provisions in it do not clearly indicate it—that the Central Government is to appoint the Food Inspectors throughout. Though the power is there both for the State Governments and the Central Government, while the hon. Deputy Minister was speaking I put a question and he assured me that it will be the Central Government which will be appointing Food Inspectors throughout the whole country, even in the States, and it will not be the State Governments which will be appointing them. That may improve matters but still I feel. . .

SHRI DEOKINANDAN NARAYAN (Maharashtra): Both the State Governments and the Central Government are empowered.

SHRI NAFISUL HASAN: I know the provision is there; both are empowered. Formerly the provision was that it was only the State Governments that could appoint them and what did the State Governments do? Mostly some Sanitary Inspectors or some other similar officers were appointed as Food Inspectors in Districts

and they did not work properly. I feel that in the matter of selection of these Food Inspectors proper care should be taken and their work should be supervised in a proper way.

There are one or two provisions, in this amending Bill to which I would like to draw the attention of the Government. By clause 6 it is proposed to add the following proviso to section 10(4) of the Act. I shall read out section 10(4) first:

“If any article intended for food appears to any food inspector to be adulterated or misbranded, he may seize and carry away or keep in the safe custody of the vendor such article in order that it may be dealt with as here in after provided.”

Even this provision in section 10(4) in my opinion is not a proper provision because once an article is seized it is taken over in the possession of the officer who seizes it. It is either to be taken away by him or to be entrusted to some other person for the purpose of production in court or being dealt with subsequently.

SHRI P. N. SAPRU (Uttar Pradesh): Some court officer.

SHRI NAFISUL HASAN: Of course. But to leave it in the possession of the vendor himself who is to be the accused in the case is not in the least proper. So this itself was not a proper provision and now let us look at the proviso which is sought to be added. It reads:

“Provided that where the food inspector keeps such article in the safe custody of the vendor he may require the vendor to execute a bond for a sum of money equal to the value of such article with one or more sureties as the food inspector deems fit and the vendor shall execute the bond accordingly.”

This, according to my opinion, is absolutely a novel provision. We require the accused person in whose custody we are going to give the property to execute a bond not only

himself but also to furnish one or two sureties. Suppose he is unable to furnish sureties with all his good intentions, what happens. Suppose he refuses to execute a bond, what is there to force him? What is the penalty provided? Nothing. If with all good faith he is unable to find a surety for him at that moment, what is the remedy? Therefore my objection to this proviso is that it is absolutely absurd and useless. The property should not be left in the possession of the vendor; that is my first point. And my second point is that it is impractical to give effect to the provisions contained in this proviso. If he refuses to execute a bond, and does not want to take the responsibility of being in custody of that article, there is no legal remedy. He is not bound to do it because you do not provide any punishment for his refusal to do so. There is nothing at all either in the Act or in the amending Bill. I think the Government will take notice of this objection and if necessary do the needful.

There is another provision and that is clause 13. This relates to section 23 of the Act. Section 23 deals with the rule-making power of the Central Government and section 24 deals with the rule-making power of the State Governments. Formerly there was similarity in both these sections and that was that the rules were only to be laid before the two Houses of the legislature; in the case of the Central Government it was to be the Lok Sabha and this House and in the case of the States where there were two Houses before both the Houses and where there was only one House before the Legislative Assembly. Clause 13(ii) of the Bill reads:

"(ii) for sub-section (2), the following shall be substituted, namely:—

(2) Every rule made by the Central Government under this Act shall be laid as soon as may be after it is made before each House of Parliament while it is

in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

This amendment is absolutely in accordance with the rule-making powers given to the Central Government in many other Acts and I think as far as this is concerned, this is an improvement on what was provided for originally under section 23. But as far as the rules made by the States are concerned, no such provision is added to section 24. There, the rules made by the State Government are only to be laid before the Legislature. The Legislature has no power to amend or annul any of those rules. Just as our Government is responsible to Parliament, similarly every State Government is responsible to the State Legislature. A similar provision was necessary, in my opinion, to enable the Legislature of a State also to rectify any mistake in the rules made by the executive Government.

SHRI P. S. NASKAR: It is there.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): I think it is there. Anyhow, the Minister will point it out.

SHRI P. S. NASKAR: In clause 24 (3) of the original Bill, it says that all rules made by the State Govern-

[Shri P. S. Naskar.]

ment under this Act shall, as soon as possible after they are made, be laid before the respective State Legislatures.

SHRI NAFISUL HASAN: But there it ends. That was the provision even in the existing Act, but the Government have come forward with an amendment. Similar was the provision under section 23 and now you have come forward with an amendment giving the power to Parliament to make amendments in the rules. I think just as you are giving this power to Parliament to amend or annul any of the rules made by the Central Government, similar powers should have been given to the State Legislatures also as far as the rules made by the State Government are concerned.

THE MINISTER OF HEALTH (DR. SUSHILA NAYAR): That is the whole object laying the rules on the Table of any Legislature and what is more the rules to be made by the State Legislatures are very minor rules like the amount of fee and things of that type. The major rules are being made by the Central Government and they are coming before the Houses of Parliament in any case.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Before Parliament so far as Central Government rules are concerned and before the Legislature so far as the rules made by the States are concerned.

DR. SUSHILA NAYAR: That is right, Sir. Also, as far as rules are concerned, only minor things are being dealt with at the State level.

SHRI NAFISUL HASAN: Even then, notwithstanding all that has been said by the hon. Minister, I must with all respect to her submit that this delegated legislation, which we have been seeing in all our Acts, is always subject to review by Parliament. Similarly, wherever we are delegating any legislative powers to a State

Government that should be subject to the control of the Legislature and the Legislature should have power to amend those rules.

DR. SUSHILA NAYAR: They have it.

SHRI NAFISUL HASAN: This amending Bill is decidedly an improvement on the present Act, but simply law making will not cure the society of the disease from which it is suffering. We may make any law, but unless they are administered in the correct spirit, in the spirit in which they are made and also unless full public cooperation is given to those laws, laws are absolutely meaningless. For two days last week we discussed the Anti-corruption Bill and today we are discussing this Bill. These are all anti-social activities. Unfortunately in the past there had been two world wars. They have affected the morals of the common man. Then, we are a secular State and we are all proud of it. Unfortunately my feeling is that we are becoming secular with vengeance which is never what secularism means. Secularism does not mean negation of religion and my belief is that the building up of character greatly depends on what is taught by our religion. I do not mean any particular religion, because, in my opinion, religions in principle and in substance are one and the same. It may be that their practices may differ. They are all one as far as relations between man and man, between neighbours and between others are concerned. They do not differ in that. It is only the religious practices in which they differ.

Now, what do I see? I see that in the world today every attempt is being made for material progress and unfortunately in my country the attention which used to be paid to the moral side of life is lacking now. I do not advocate that we should give education in any particular religion. But, as I said, there is a certain thing as moral education and the real

values of life, for which the country is great and on account of which India is what it has been and for which the whole world respects it, are all disappearing. Our children when they go to school, cannot have religious education. They are deprived of religious education when they read in schools and colleges.

Then please have a curriculum of moral education embracing the principles taught by all religions. You stick to truth, never speak a lie, be honest, serve mankind—these are common things. These must be inculcated in the boy or the girl when they are children. Unless this is done I think it will be very difficult for us to end the evils from which our country is suffering.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): In this respect you and Mr. Chordia agree.

श्री विमलकुमार मन्नालालजी चौरडिया
 (मध्य प्रदेश) : सहब, हम और आप
 एक ही है इस मामले में ।

SHRI LOKANATH MISRA (Orissa): I think for all this the Congress Party has to take the responsibility and nobody else.

SHRI NAFISUL HASAN: There are leaders of public opinion sitting before me. What is our code of conduct? We know that it may be difficult to prove a person to be guilty of corruption or of these anti-social activities.

SHRI LOKANATH MISRA: We have proved it. In Orissa we have proved it.

SHRI NAFISUL HASAN: We know as to which of the persons indulge in anti-social activities. Do we refuse to accept invitations from them? We do not simply because we get good and tasty food. It may be tasty for our mouth but it is killing to our souls. We give them a status by

going to their places. We invite them to our own functions. Unless we educate the public on these lines to practically cut off relations from such persons as indulge in these activities, nothing useful will be done.

SHRI LOKANATH MISRA: How can we educate Ministers who indulge in them?

SHRI NAFISUL HASAN: I am talking of my humble self and other Members who are sitting before me. How many of us do that? Do not talk of Ministers.

SHRI LOKANATH MISRA: But they are the leaders in the country.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): The moral code is not limited only to Ministers.

SHRI NAFISUL HASAN: Unless we awaken the social conscience of the people, these evils are not going to be removed.

In the end, I give my support to this Bill and welcome it.

SHRI R. S. KHANDEKAR (Madhya Pradesh): Mr. Vice-Chairman, I welcome this amending Bill. This Bill was brought before this House originally and it was sent to the Joint Committee of both the Houses. The Joint Committee made many improvements on the original Bill, and when it went to the other House, the other House also made one amendment, and it is a useful amendment according to me. I will come to that amendment later.

There are no two opinions about the urgent necessity of this Bill at this juncture. Everyone feels and every hon. Member who has spoken here has said that there is large-scale adulteration at present in this country. Almost every article of food, every article of necessity, is adulterated with something. If I mistake not, some time before a census was taken in this city and it was found

[Shri R. S. Khandekar.]
out that over 50 per cent of the articles were adulterated. I am sorry, almost all the articles were adulterated and the adulteration was to the extent of 50 per cent. This adulteration was in such articles which could prove detrimental to the health of the individual. But it is a very sorry spectacle that during the last so many years nothing substantial was done to check this adulteration.

SHRI LOKANATH MISRA: Because the ruling party itself is adulterated.

SHRI P. S. NASKAR: What about you?

SHRI R. S. KHANDEKAR: Now the ruling party have come forward with the plea that they found the previous Act so ineffective and they found some difficulties and therefore, this amending Bill had been brought before this House. But I do not agree completely with this view of the Government that they could not take stringent action according to the existing law. But the fact is, it was ineffectively implemented and no serious consideration was given to it, and whatever serious consideration was given was half-hearted. Moreover the machinery which used to implement this Act was also not up to the mark. Therefore, unless we are serious—and this has been emphasized by almost every speaker here—it is no use passing stringent laws. What we must see is their effective implementation, their honest implementation. Unless we do that, these laws will adorn only the book shelves in the library.

Now we have to see why people indulge in these anti-social activities. There are many reasons. One of the foremost reasons according to me is that there is a craze nowadays to get rich quick. This craze for money is a post-war gift to this country, and many speakers have emphasized that our moral standard is going down. I do not agree with the hon. Member who has just spoken that religion has anything to do with it. According to me religion has nothing to do

with the morality of the people. Religion may be one's private or personal belief. What we want is that we must have our moral standard, our moral education.

SHRI V. M. CHORDIA: That is also a religion.

SHRI R. S. KHANDEKAR: It is not religion. I do not mix morality and religion. Therefore, the highest standard of thinking is entirely different from religion.

The second reason for this habit of adulteration may be our economic disparities and the utmost poverty in this country. People who do not have enough to subsist try to indulge in these things and try to get some money. I do not defend them. The practice of adulteration must be condemned at any level but these are some of the reasons which the Government should consider and they should go deep into the root causes of this habit.

Sir, When I went through the clauses of this Bill, I found similar clauses in the Drugs Act which this House passed recently. There are very good provisions now in this Act, and in the Drugs Act similar provisions were made, and let us see how the Government with the amending Bill, with the improvement on the existing Act, effectively implement the various provisions and eliminate the vicious elements in our society.

Having said this, I come to the specific provisions of the Bill. Now, Section 9 of the original Act is being amended and there is a provision for the appointment of Food Inspectors. I do not mind the Central Government appropriating to themselves the power to appoint Food Inspectors throughout the country. But I doubt whether they will be able to do it physically and have control over these Food Inspectors. The same power is given to the State Government also. I learn that at present

Food Inspectors are appointed by the local bodies or municipalities or by the State Governments. But their standard is not up to the mark nor is their emolument enough so that they cannot resist the temptation to get themselves corrupt. Now, my submission is that when the Central Government is going to appoint Food Inspectors they should see that proper persons are appointed and that their service conditions are proper. The punishment is enhanced in this amending Bill and there is a greater chance of these Food Inspectors getting more corrupt than at present. Therefore, unless their service conditions are improved, their salaries are bettered and their integrity is sound, it will be very difficult to implement the provisions of this Bill.

Then I come to clause 6. Hon. Members who spoke before me just now pointed out the lacuna in the proviso to clause 6. I also feel that it is against the present legal provision. If the adulterated stuff is to remain with the accused even after the surety is taken, how will it be proved in a court of law or how will it be possible under the existing provisions of law to prove the guilt? I do not want to dilate more because the hon. Member who spoke before me has already explained it. But I would like to go further in the same clause, to sub-clause (iii) which reads—

“(iii) In sub-section (7), for the words “as far as possible, call not less than two persons to be present at the time when such action is taken and take their signatures”, the words “call one or more persons to be present at the time when such action is taken and take his or their signatures” shall be substituted.”

Now, by this amending clause, only one witness will be necessary when a raid is made and when adulteration is found out. With what little ex-

perience I have got of courts, I am very much apprehensive of this provision about witness. There are both the chances. If you have one witness with you, most probably that one witness will be a tutored witness or a sub-inspector or a chaprasi of the same department. Then his statement may not be believed by the court because he would be an interested person. Suppose it is not so and the witness is an independent person of the same locality and he turns hostile, then how is the Government going to prove its case in a court of law? So the earlier provision for two witnesses at least or for two independent witnesses of the locality ought to be there. I find that if we have only one witness there would be much difficulty in the implementation of this law.

Then, clause 7 is really important and it is welcome. It relates to warranty and it protects the genuine dealer. And also new section 14A which reads as follows is also a welcome provision:

“Every vendor of an article of food shall, if so required, disclose to the food inspector the name, address and other particulars of the person from whom he purchased the article of food.”

In this case I want to submit that adulteration starts from the manufacturer's level. So an important change must be made at the source, that is, from where the article is manufactured. If proper checking at that source is made, there would be less of adulteration and if there is a proper system of checking and all that, the adulteration will be less and less. Therefore this provision is a welcome provision.

In clause 9, deterrent punishment is given, that is, imprisonment for a term which shall not be less than six months but which may extend to six years and with fine which shall not be less than one thousand rupees. Originally this was recommended by the

[Shri R. S. Khandekar.]
Joint Committee but in the other House—and for very good reasons—the hon. Minister also agreed to the amendment that for offences of a small nature, of a technical nature, smaller punishment would be appropriate. If you make the punishment stricter, there should be no objection but in implementation, many a time it is found that technical mistakes are committed, that small mistakes are committed, and for these the dealers should not be hauled up and given such high punishments. And even if the law provides a deterrent and high punishment, in our experience the people in the courts are also human beings and for such technical and small offences they are not very drastic in awarding high punishment. Therefore, in this light, this provision is a welcome provision.

Then, in sub-clause (1D) of the same clause there is a provision for the cancellation of the licence on the subsequent conviction. I wonder why the cancellation should not be there immediately after the first conviction. We expected that this amending Bill would be quite stringent and deterrent but when it has passed into so many stages, I find that it has softened to a large extent. I would have liked a provision that the licence ought to be cancelled after the first conviction and after the second conviction the confiscation of the whole thing should be there. Unfortunately I do not know why cancellation only after the subsequent conviction is provided for, and there is no mention of confiscation of the adulterated goods.

Lastly, there is the rule-making power. I wish that as soon as this Bill is passed, the rules should be speedily framed and should be placed before this House because without adequate rules the implementation of this Act which is a useful Act will be very deferred and it will be very difficult for the administration to carry out the provisions of this Act.

One thing more and I have done and that is with regard to the laboratories. Many a time questions were asked. It is true that we have not got a number of laboratories. When the Act comes into force, I hope that implementation will be effective and there will be the necessity for more laboratories in the country. At present there is an acute shortage of laboratories in the country. Moreover, whatever the number of laboratories, the results of any two laboratories do not tally. Therefore, there should be centralisation and the same result should come from any of the laboratories. Of course, there can be some variation according to climate and other things but generally the result should not vary. Unfortunately, the experience of the present laboratories is quite otherwise.

Sir, although it may not be relevant to the present Bill, the other day I read in papers that according to the Planning Commission the food production in this country is about 78.9 million tonnes or so, but according to the Indian Standard Institution it is about 89 million tonnes. So how there is so much difference between two departments I cannot understand. So, Sir, the results of any two laboratories should not vary. With these words I support the Bill.

DR. M. M. S. SIDDHU (Uttar Pradesh): Mr. Vice-Chairman, Sir, I welcome this Bill. This Bill provides for deterrent punishment in the hope that the persons who adulterate the foodstuffs will fear and shall not do so. The deterrent is one that causes fear complex in the person of being detected. Only after detection will the punishment, after being tried by the process of law, comes into force. What are the chances today of a person being detected or the foodstuffs being analysed and the adulteration found to that extent? Sir, as health finds low priority among subjects, I am sure the Fourth Five Year Plan will not be able to give the Health

Ministry enough of funds to have Food Inspectors appointed and laboratories set up or technicians being made available. If the Fourth Five Year Plan or the present Plan is unable to give them the resources with which they will be able to detect it, this law, once it is enacted, will lose its meaning. Only today we were surprised, if I remember correctly, to know that only 16 Food Inspectors are appointed for the whole of the Delhi Municipal Corporation area.

THE VICE-CHAIRMAN (SHRI
AKBAR ALI KHAN): Old Delhi.

DR. M. M. S. SIDDHU: Yes, Sir, in the Corporation area, and with the number of shops, the number of pedlars and the vendors, what are the chances of one being detected? If the chances are less, the crime will prevail. The person who commits a murder always knows that if he is caught he will be put to gallows. But the chances are of one being caught one among thousand. And even if he is caught, he will have a counsel who will be able to save his neck from the gallows. Therefore, if this measure, even when it comes into force, I am sure, with the resources available with the Health Ministry, the local bodies, the States, the small number of Food Inspectors, laboratories, technicians, will not be able to detect it. Figures will be doled out. And what will happen? If one were to go into the list of the persons whose samples are taken, you will find that the posh hotels and restaurants never find a place. Who are the persons whose samples are taken? The Food Inspector can not enter certain places due to reasons well known. If these persons cannot be detected, cannot be apprehended, a poor man is an easy prey. And that is why I say that unless and until the Health Officer takes the sample—because he is the person who can enter into posh places—the Food Inspector finds it difficult. Having been associated with the Corporation, I can say from my experience that the places where these things are detected are mostly the

small restaurants or a small shop, never the big ones. And that is where we lag.

Then, Sir, what are the usual adulterants for which the sweetsellers are caught? You find colours which are not permitted, colours which are harmful. Today you find a craze for colours. This craze for colouring has become prevalent during the last ten to twelve years. Earlier there were natural herbs or natural products like *kesar*, or products like *pista* to give green colour, or *haldi* to give yellow colour. But now in order to make the foodstuff attractive and at the same time to show it in a way which it is not, colours are used.

Sir, as far as colours are concerned, permitted colours are harmless, but the coal-tar dyes are definitely harmful to health. Once I enquired from the Health Officer of my own town whether we could make harmless colours available to the small halwai, colour which is not adulterated, of which he can be sure that the product that he is using is such that will not make him liable to prosecution in a court of law so that he uses a stuff which is the right one. The Corporations find it difficult to do so. So as far as colours are concerned, I would like to impress upon you is that the use of colours is not necessary for food. Not at all. If one wants to take *barfi* let him have it in its natural colour instead of having *tir-angi barfi*. People must know that if they take coloured *barfi*, there is a chance of taking poison along with it.

Similarly, Sir, there are other things which are adulterated, things which find their way into homes because the habit of the housewives has changed. Permit me to say, Sir, that formerly people used to get the stuff which they used to grind. Now, because of the short time at the disposal of the housewife and with the ready-made preparations that are easily available, she finds it easy to make use of them and one thing where adulteration is found most is the spices.

[Dr. M. M. S. Siddhu.]

Similarly, Sir, as regards betel-nuts I am sure 50 per cent. of it is nothing but plam-store, *Khajur-ki-guthli*. So the thing that we should ensure is that we take a food which is less harmful. And for that we must inculcate habit of purchasing and selling those stuffs which are less likely to be adulterated. The other day I was surprised to read—of course that is not a foodstuff—that common salt was sold in the place of fertiliser. Nothing could be more harmful, nothing can be more callous than to sell common salt in place of fertiliser and that complaint was made in the Panchayati Raj Conference which was held only a few days back. Such are the ways of the people, such are their habits. Therefore the first and foremost thing, once this Bill becomes an Act, will be to see that the enforcement machinery is such that the chances of one not being detected should be reduced to at least one in ten. To-day in my opinion they may be one in a lakh. Similarly, what happens next? When an article has been detected, the *challan* is made but the files do not move from the office of the Health Officer to the Court. Then who will follow those cases? “*देखी करना जिसे कहते हैं* ।” If there is no good follow-up, then the case is not proved in a court of law and the person is let off for want of evidence or otherwise. These are some of the things which are occurring every day. Similarly the trial by the honorary magistrates of the offences in the foodstuffs or even drug adulteration leaves much to be desired. I would request the Health Ministry to think over the point that the trials should not be by an honorary magistrate—I am told that first-class honorary magistrates will not be able to try these cases—and in such cases stipendary magistrates should try such cases. Otherwise other influences will work and this law will not be operated in its true spirit.

As far as witness is concerned, we have reduced the number. It is pro-

posed to be reduced from two to one. That shows that there is something wanting in the procedure where two citizens are not available at the time when the samples are being taken. What are the reasons? We should go into the reasons why people are not forthcoming. One is the long, dilatory time taken by the court to decide and an honest man fears to go to a court of law because he does not want to waste his time by going again and again as there will be cases which will be put off for the next day and to the next day and so on. That is one reason. Why is it that the persons who know it at the next door do not come forward? If we reduce the number of witnesses to one, do we think we have done something good? We must see that an atmosphere is created where a citizen will find it his duty, moral obligation, to stand as a witness to such an act but he will only do so when he knows that the person who is taking the sample has a reputation with which an honest man can associate. That is where the trouble lies. We talk of the money or the salary being given to the Food Inspectors as low which encourages them or tempts them to do something which is not desirable. You raise the salary but even then, if the person's reputation is not good, witnesses will not be forthcoming which will be called reliable by the court and if the witnesses are the same who come off and on before the courts, then the court does not attach that value to that witness or to his words which should be attached to the witness.

There has been one point that a person will be prosecuted if he refuses to sell. I may give instances in which courts have let off some persons. A *Halwai* is there and he sells bad stuff, a person goes to take a sample, the *Halwai* says ‘No, it is not mine, some customer has asked me to prepare it. He has given me the stuff out of which to make this sweet, I do not know and I do not want to vouch for the purity or anything of that stuff’. Then the person is found

and he says: "I gave him this stuff" and the court lets him off because there the Halwai is not selling the stuff but is only selling his wages or his labour. Therefore I would request the Ministry to go into all the cases where persons have been let off and to see that those reasons for which the courts are likely to believe or likely to say that the person does not come within the provisions of the Act are reduced to the least.

Lastly I would say that the training of the Food Inspectors should be such that they will take the samples in a correct manner so that on technical grounds the persons are not let off.

I whole heartedly support the Bill and would request through you the Planning Commission that they may be able to give enough of finances to the Health Ministry so that this Act is adequately and properly enforced and so sufficient finances and funds should be placed at the disposal of the Ministry.

श्री विमलकुमार मन्नालालजी चौरडिया:

उपसभाध्यक्ष महोदय, जो खाद्य सामग्री में मिलावट को रोकने के बारे में संशोधन विधेयक प्रस्तुत किया गया है, यह सचमुच हमारा दुर्भाग्य है कि हमारे देश में हमको ऐसा कानून बनाना पड़ रहा है। हम सब चाहते हैं कि सब कुछ अच्छा मिले, मगर परिस्थितियां ऐसी हैं कि कुछ अच्छा मिल नहीं पाता। जिन के हाथ में प्रशासन है, उनके लिये उसको रोकना अत्यावश्यक है और उनको शक्ति देना भी अत्यावश्यक है। इस बिल में जो शक्ति इंस्पेक्टरों या निरीक्षकों को दी गई है, वह दो जानी भी आवश्यक है अगर उसका दुरुपयोग न हो।

उपसभाध्यक्ष महोदय, आजकल, जैसे पूर्व वक्ताओं ने कई उदाहरण दिये, सब चीजों में मिलावट होती है। वह रबड़ी जो बाज़ार में बेची जाती है, उसमें भी ब्लाटिंग पेपर

की मिलावट होती है। मिलावट किस चीज में नहीं होती है, उसका ढूंढना बड़ा कठिन है। शक्कर में मिलावट, घी में मिलावट, यहां तक कि जिस चीज को देखिये, हींग, नमक, मिर्ची आदि उसमें सब में मिलावट। हम यह चाहते हैं कि हमारी यह सरकार, शुद्ध घी जिसे कहते हैं उसमें कम से कम मिलावट रोकने के लिये, यह जो वनस्पति आयल है इसके लिये कोई रंग ढूंढ़ ले, मगर सब चीजों के लिये रंग मिल जाता है, मिठाई के लिये रंग मिल जाता है, बर्फी के पुलये रंग मिल जाता है, आइस क्रीम के लिये रंग मिल जाता है, पर वनस्पति आयल के लिये कोई रंग मिल सके, ऐसा हमारी सरकार को नहीं मिल पाता। इस तरह अप्रत्यक्ष रूप से हमारी सरकार यह चाहती है कि यह मिलावट का घी चलता रहे, तो जनता ठीक रहेगी। मैं प्रार्थना करूंगा कि यह मिलावट रोकने वाली सरकार कम से कम वह जो वनस्पति आयल मिलता है, उसमें मिलाने के लिये कोई रंग ढूंढ़ ले ताकि शुद्ध घी में मिलावट न हो और इसको रोकने का प्रयत्न करे तो ठीक होगा।

उपसभाध्यक्ष महोदय, यह जैसा कि पहले भी बताया है कि इस काम के लिये चार पांच व्यवस्थाएं हैं। एक तो फूड इंस्पेक्टर हैं, दूसरे पांच हैं, तीसरे एनालिस्ट हैं, चौथे न्यायालय हैं और पांचवां कानून की व्यवस्था के लिये प्रशासन है। ये पांचों व्यवस्थाएं जब तक शुरू से आखिर तक ठीक न हो जायें, तब तक हमारा काम ठीक तरह से चल सकेगा, इसमें बड़ी भारी शंका है। इस दृष्टि से यह अत्यंत आवश्यक है कि इन पांचों की जो व्यवस्था है, उसको ठीक किया जाये, जिससे हमारे देश में मिलावट रोकी जा सके।

जहां तक फूड इंस्पेक्टरों का सवाल है, उनको सैनीटरी इंस्पेक्टर भी कहते हैं, अलग अलग उनके नाम हैं, उनमें ईमानदार भी हैं और बेईमान भी हैं। उनमें बेईमान तो इस हद तक हैं कि यहां दिल्ली प्रापर में भी एक इंस्पेक्टर महोदय थे, उनको तनख्वाह केवल

[श्री विमलकुमार मन्नालालजी चौरडिया]
ढाई सौ मिलती थी, मगर वे कार मेनटेन कर सकते थे, एक कोठी दिल्ली में बना सकते थे, लड़कों को इंग्लैंड भेज सकते थे, और क्या कहलाते थे—फूड इंस्पेक्टर। यह छिपा हुआ नहीं है। ऐसे एक नहीं, हमारे यहां पर अनेकों हैं जो कि रिश्तत ले कर के काम करते हैं, बंधी हुई रकमें रखते हैं कि अमुक दुकान से इतना लेना है और इतना नहीं लेना है। तो इसको भी हमको चेक करना होगा और जो ईमानदार हैं उनको भी हमें सहयोग देना होगा।

एक माननीय सदस्य : ईमानदार है ?

श्री विमलकुमार मन्नालालजी चौरडिया :
हां, ईमानदार है। मेरी निगाह में कुछ लोग ऐसे हैं जो कि सचमुच में ईमानदार हैं, जो कि तकलीफ उठा कर के काम करते हैं लेकिन उनकी कद्रदानों के अभाव में कद्र नहीं होती है। क्योंकि वे उच्च अधिकारियों की जेब भरने में असफल रहते हैं, तो उनको इधर से उधर भगाने का काम चलता है। तो ऐसे जो बेईमान लोग हैं. . .

श्री चन्द्र शखर (उत्तर प्रदेश) : कहां हैं ?

श्री विमलकुमार मन्नालालजी चौरडिया :
. . . उनके नियंत्रण का पूरा प्रयत्न करना चाहिए। जो भी इंस्पेक्टर हैं या सैनिटरी इंस्पेक्टर है, जो भी है, उनके खिलाफ अगर कोई शिकायत आती है तो जब तक कि वह प्रमाणित न कर दे कि वह सचमुच में ईमानदार था तब तक उसे रखने की कोई आवश्यकता नहीं है, हमारे ऊपर कोई बंधन नहीं है कि ऐसे बेईमान आदमी को रखा जाये।

रैल मंत्रालय में राज्य मंत्री (श्री राम सुभग सिंह) : सब को सदाचार मानते हैं।

श्री विमलकुमार मन्नालालजी चौरडिया :
मैं आपको तो कम से कम मानता ही हूं।

तो; जो ईमानदार हैं उनको बहुत कठिनाइयों का सामना करना पड़ता है। अगर किसी पंच को बुलाना हो तो वही इंस्पेक्टर, सैम्पल इकट्ठा करना हो तो वही इंस्पेक्टर, सैम्पल भर कर रखवाना हो तो वही इंस्पेक्टर और पंचनामा बनाना हो तो वही इंस्पेक्टर, और बावर्ची भिंती सभी कुछ वही। अब, पराठों वाली गली में सैम्पल लिया तो उसको गवाह और कहां मिलेंगे? वहीं पराठों वाली गली में मिलेंगे, किन्तु वहां वही व्यवसाय करने वाले मिलेंगे। तो उस इंस्पेक्टर की सहायता के लिए प्यून की या कांस्टेबल की या ऐसी ही कोई व्यवस्था की जानी चाहिए जिससे कि पंच को बुलाने में, सैम्पल्स को भरने में, सैम्पल्स को इकट्ठा करने में, पंचनामा तैयार करने में और गवाहों को इकट्ठा करने में सहायता हो सके।

श्री आई० के० गुजराल (दिल्ली) :
शहरों में तो है।

श्री विमलकुमार मन्नालालजी चौरडिया :
परांठा वाली गली में अगर सैम्पल लिया जाता है तो हमारे गाबड़े में भी लिया जाता है। ग्रामीण क्षेत्र में यह स्थिति होती है कि अकेले इंस्पेक्टर के रहने की वजह से कितनी कठिनाई होती है; क्योंकि जिसका पंचनामा लिया चाहते हैं कि इंस्पेक्टर अगर प्रेम से मान गया तो ठीक, साम से मान गया तो ठीक, दाम से मान गया तो ठीक, नहीं तो कभी-कभी वह दण्ड देने को भी तुला रहता है। ज्यादाती भी होती है और भय बना रहता है। ऐसी स्थिति में यह अत्यन्त आवश्यक है कि इंस्पेक्टर के साथ कुछ रक्षा की दृष्टि से, कुछ काम में सहयोग की दृष्टि से, इनका रखना आवश्यक है, उसका आत्मिक-बल बढ़ा रहे, इसलिए भी कुछ न कुछ सहायता दिया जाना आवश्यक है।

हमारे यहां मध्य प्रदेश में यह काम सैनिटरी इंस्पेक्टर करते हैं और उनका वेतन १२० से १६० रु० तक के बीच में होता है। अब आज के युग में वह इंस्पेक्टर कैसे इतने

से बेतन में इंस्पेक्टर का पद-धारी बन करके सारा काम ठीक रूप से कर सकेगा? यह कहाँ तक सम्भव है, इसकी कल्पना करने का काम मैं माननीया मन्त्राणी जी पर छोड़ता हूँ किन्तु मेरे मत से यह इतना कम है कि वह लोभ का संवरण कर सके, अपने बच्चों को पढ़ा करके कम से कम इंस्पेक्टर के काबिल भी बना सके, यह सम्भव नहीं। इस बेतन में यह सम्भव हो सके, इसको आप ठीक समझें तो समझें, लेकिन मैं इसको ठीक नहीं समझता। ऐसी स्थिति में यह अत्यन्त आवश्यक है कि उनको सुविधाएं दें और सारी सुविधाओं को देने के पश्चात् भी अगर कोई बेईमानी करता है तो उसके खिलाफ सख्त कार्रवाई करें, उसके लिए कोई दया का भाव अपने मन में रखें, ऐसी कोई आवश्यकता नहीं है।

SHRI M. P. BHARGAVA (Uttar Pradesh): Mr. Vice-Chairman, I am sorry to interrupt Mr. Vimal Kumar Chordia. I have to make a submission with your permission. I would like to move that the half-an-hour discussion be taken up now and Mr. Chordia may continue his speech tomorrow, because Dr. Bhabha is going to address a meeting at 5.15. I hope the House will have no objection to this.

THE VICE-CHAIRMAN (SHRI AK-BAR ALI KHAN): Is it the pleasure of the House that it should be taken up now.

(No hon. Member dissented.)

How long will you take, Mr. Chordia?

SHRI V. M. CHORDIA: I will take only twenty minutes, Sir.

THE VICE-CHAIRMAN (SHRI AK-BAR ALI KHAN): The time is limited. Anyhow, if you are keen to speak tomorrow, I don't mind.

श्री विमलकुमार मन्नालालजी चौरड़िया : मैं तो सदस्यों की राय से सहमत हूँ।

THE VICE-CHAIRMAN (SHRI AK-BAR ALI KHAN): If you are taking about . . .

श्री विमलकुमार मन्नालालजी चौरड़िया : मैं कल बोलूंगा।

HALF-AN-HOUR DISCUSSION ON POINTS ARISING OUT OF ANSWERS TO STARRED QUESTION NO. 363 ANSWERED ON THE 3RD DECEMBER, 1964, RE MISUSE OF RAIL CONCESSION

THE VICE-CHAIRMAN (SHRI AK-BAR ALI KHAN): Mr. Vajpayee, we are taking up now the Half-an-Hour Discussion regarding the misuse of rail concession.

श्री ए० बी० वाजपेयी (उत्तर प्रदेश) : महोदय, ३ दिसम्बर को मेरे मित्र श्री खांडेकर के एक प्रश्न के उत्तर में रेल मन्त्री जी ने यह स्वीकार किया कि कानपुर के १०७ लोगों ने भारत स्काउटों तथा गर्ल गाइडों को दिए जाने वाले रेल कंसेशन का दुरुपयोग किया और उस दुरुपयोग के कारण रेलवे को ४,००० रु० का घाटा हुआ। रेल मन्त्री जी ने यह भी बताया कि कानपुर जिले के स्काउट कमिश्नर से कहा गया है कि वे इस ४,००० रु० की रकम जमा कर दें, लेकिन उन्होंने अभी तक जमा नहीं की है और इसके विरोध-स्वरूप रेल-मन्त्रालय ने उनका यह अधिकार छीन लिया है कि भविष्य में वे स्काउटों के लिए और गर्ल गाइडों के लिए रेलवे से कंसेशन प्राप्त कर सकें।

इस प्रश्न से कुछ चीजें पैदा होती हैं, जिनकी ओर मैं आपका ध्यान खींचना चाहता हूँ। पहला सवाल तो यह है कि क्या रेल कंसेशन रेल के अफसरों ने अनजाने में दिया, क्या उन्हें पता नहीं था कि जो व्यक्ति कंसेशन प्राप्त कर रहे हैं वे भुवनेश्वर अधिवेशन में भाग लेने के लिए यात्रा करना चाहते हैं,