

[The Deputy Chairman.] Dange papers were not laid on the Table. Since then we have gone into the records and And that they were laid on the Table by the Minister of Parliamentary Affairs on the 3rd June.

SHRI DAHYABHAI V. PATEL (Gujarat): Madam, they should have been circulated to Members since so many Members asked for them.

THE DEPUTY CHAIRMAN: Well, they were laid on the Table and it is for you to see those papers.

THE PREVENTION OF FOOD ADULTERATION (AMENDMENT) BILL, 1963

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH (DR. D. S. RAJU): Madam, I beg to move:

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the Prevention of Food Adulteration Act, 1954, and resolves that the following Members of the Rajya Sabha be nominated to serve on the said Joint Committee: —

1. Shrimati C. Ammannappa Raja.
2. Shri Arjun Arora.
3. Shri R. K. Bhuiwala.
4. Shri, J. C. Chatterji.
5. Shri K. Damodaran.
6. Shrimati Jahanara Jaipal Singh.
7. Shri Shantilal Kothari.
8. Shri S. S. Mariswamy.
9. Shri Deokinandan Narayan.
10. Shri Palat Kunhi Koya.
11. Shri Niranjana Singh."

The question was proposed.

SHRIMATI TARA RAMCHANDRA SATHE (Maharashtra): Madam, I rise to support the Prevention of Food Adulteration (Amendment) Bill 1963. The purpose of this Bill is

two-fold: to give powers to the Union Government to appoint the inspectors, and to make the Act more deterrent. Madam, the hon. Minister has confessed that the tendency is increasing to indulge in adulteration, and we too come across this in our daily life. Adulteration no doubt is a social evil. We must feel ashamed of this social evil and we must try our best to fight this evil.

Madam, what are the things which are adulterated? They are: salt, chilli powder, spices, cereals with tiny stones and other weeds, jowar, bajra, rice with white stones, milk, butter, ghee, atta and what not, all sorts of eatables and *mitayees*, and now medicines, cement and such things and even finished goods like bicycles, motor cars, etc. We find every day of our life that there is adulteration. What is this? Is this our culture? Is this our sanskriti of which we speak so often? Is this our national character, Madam? Why should this happen? There is something wrong somewhere. Let us search our minds and let us see what is our national character.

Coming to some instances, Madam, I see here in Delhi that all the people are accustomed to eat *chapati*. Here in the Delhi market we get only atta. If we want to purchase wheat and get it ground ourselves in the *chakkis*, then we do not get it unless we give them 10 kilos. On our side we can go to any *chakki* and even ask for half a seer and get it ground. But why this is not so in Delhi I do not understand. So I appeal through you to the Government that they should look into this matter and should order all the grinding machines here or mills that we should get whatever quantity we like. In that way only we will get pure atta. It is said that in the atta (the powder of tamarind seeds is mixed, and I see that when we bring the wheat and get it ground ourselves, we can get good *chapatis*. Otherwise in the bazaar we get adulterated ones.

Going through the debates in 1954 when this Bill was discussed I came across many speeches of hon. Members who had referred to the so-called ghee that is hydrogenated oil or Dalda or Vanaspati or Bath or whatever be the common names for that. I do not understand why this is not banned by the Government because this is harmful to our health and it is adulterated, not pure ghee. If we want pure ghee, it is very difficult to get in the bazaar. I heard the process of how they mix it with ghee. This Vanaspati is mixed first with milki and it is boiled. Then they make it into curd and then the butter is made, and this mixture we cannot detect. We are not able to smell it. If we put it on the fire, then suddenly the Vanaspati which is mixed there melts and the layer comes up and the butter is changed into a white watery substance. I do not understand why this is not stopped. Some fifteen years back we learned that the Haffkine Institute at Bombay made experiments on rats and they had found that in the third generation of those rats, most of them turned blind. So, this is not really *annasuddhi*; what we call *annasuddhi* is pure ghee. We get the adulterated one. It should be mixed with some colour. I do not understand why the Government does not compel those people to do that. When we started our propaganda, the vested interests were so much agitated that they also started their propaganda, and it is a common thing for them to say that it is a sort of ghee which the poor man will get. It is not pure ghee. It is hydrogenated oil. It is a most dangerous thing.

Coming to other things, we see that whenever there is foreign collaboration and the quality control is in their hands, we get good things. For example, take a small thing like the Coca Cola; they are very careful to see that the standard is maintained. If the quality control is in the hands of Indians, we see that we do not get good quality. For example, let us

take some of the finished goods like the Ambassador cars, Hind bicycles, etc. In the olden days those machines were good but now steel of inferior quality is used. The foreigners are very proud of their products. When the Coir Bill was being discussed here, the hon. Minister referred to and pressed this point again and again of quality control in which we lack. When there was some export of pepper and it was demanded on a large scale, it is said that our traders mixed papita seeds with that. Then there were no orders for them. We have to lose our name and they say that Indians are not honest. So, this is a national problem also and we should be very careful about it.

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Coming to the foreigners' character, again I can quote the instance of the Rolls Royce machine. Throughout the world, wherever they go, they keep up quality control and they are proud of that. Whatever be the cost, they maintain their fame. It is learnt that in one of the countries they grumbled that the machine was not good. Immediately the manufacturers sent some people by plane. Those people found that the machine was quite all right but the fuel which was used in it was not of the best quality. So, they are always very careful to see that quality control is there and that the quality remains the same. Well, why can't we do that? Why is it so there? Where is our *sanskriti* and culture? What is *sanskriti*? We know all that. We speak in the name of *sanskriti*. Acharya Vinoba Bhave has defined *sanskriti* nicely. There are three things, *prakriti*, *vikriti* and *sanskriti*. While defining *prakriti*, Acharya Vinoba Bhave has said that natural appetite is there and we consume. It is *prakriti*. When we consume too much, it becomes *vikriti*. And while defining *sanskriti*, he says this. Suppose we are just at the table to take our food and somebody comes. With a smiling face we must offer him whatever we have.

[Shrimati Tara Ramchanra Sathe.] We should not take it without him. This is our *sanskriti* and this is our culture. But we are going far away from this ideal. We are becoming selfish and thereby we want to gain ourselves at the cost of others. On the contrary, we should serve our country at our cost. How do we behave if there is control and rationing? There is blackmarketing. The sellers and the buyers, both, are responsible for that. But the buyers will criticise the sellers and the sellers will criticise the buyers. If there is prohibition—such a good principle which should be followed—there is illicit distillation. When there is the *Sadachar Samiti*, we try to nip it in the bud. We criticise it.

ते के न जानीमहे

(Te ke no. Janimahe)

Lastly, I would say that everybody amongst us should be very careful about this. Those who adulterate such things, we must boycott them. The Government is also here and it is taking more powers in its hands. I wish that the machinery works with more zeal, is loyal and sincere. But only the machinery will not be able to do it. They are starting some laboratories also, where they will be able to check these things. But we ourselves must help here. It is not to help the Government alone, but it is the national character. Thereby we help ourselves also. What is the laboratory to test us? We must not indulge in such adulteration. Not only that. We must not spare anybody who does this. Whether we are doing justice to ourselves or not, we can ask ourselves, ask what is called our *Athmaram*, which can give evidence whether we are honest or not. Everybody amongst us is responsible for this sort of adulteration. And I hope that all those who are very much responsible for this will help the Government to do away with this social evil.

Madam, with these words, I support this amendment.

श्री विमलकुमार मन्नालालजी चौरङ्गिया (मध्य प्रदेश) : उपाध्यक्षा महोदया, जो बिल प्रस्तुत हुआ है वह खाद्य सामग्री में मिलावट न हो, उस पर रोक लगाने के लिये है। हमारे यहां इस सम्बन्ध में पहले से कानून है, लेकिन कानून के होने के बावजूद भी हमारे यहां मिलावट बढ़ती जा रही है, इसकी अनुभूति समाज को भी है, विभाग को भी है और उसी दृष्टि से वह चाहते हैं कि कानूनों में कुछ ऐसा संशोधन करें कि हम मिलावट को कम कर सकें और रोक सकें। उनकी इच्छा तो यही है और इसी आशय से जो बिल सरकार लाई है उसका मैं स्वागत करता हूं, मगर उसके साथ साथ कार्य करने में जो तकलीफें आती हैं उनकी ओर भी शासन का ध्यान आकर्षित करना चाहता हूं।

उपाध्यक्षा महोदया, यह देखने में आया है कि जितने भी प्रकार की खाद्य सामग्री है लगभग सभी में मिलावट का काम प्रारम्भ है और यह लेबोरेटरीज के टेस्ट से भी पता लगता है और वैसे भी पता लगता है। अभी थोड़े दिन पहले का समाचार था कि अफगानिस्तान से चार लाख रुपये की हींग आई, हमारे यहां लेबोरेटरी में उसकी जांच की गई तो पाया गया कि हींग बहुत अच्छी है, मगर दूसरी बार जब जांच की गई तो पाया गया कि चूना और रेत मिला हुआ है—यह लेबोरेटरी में भी गड़बड़ हो जाती है, कभी जांच करने वालों की गड़बड़ हो जाती है, कई बातें हैं। कई ऐसी शिकायतें हैं। कुछ दिन पहले यहाँ हल्दी का किस्सा हुआ, आटे का किस्सा हुआ, सब तरह की सामग्री में अधिक से अधिक मिलावट होती है। खाने के तेल में मिलावट होती है, घी में मिलावट होती है, दूध में मिलावट होती है, हींग में मिलावट होती है, मिर्चों में मिलावट होती है, हल्दी में मिलावट होती है, आटे में मिलावट होती है, जितनी भी खाद्य

सामग्रियां हैं उन सब में मिलावट होती है और ये मिलावट करने वाले बिल्कुल जैसे मृत्यु बेचते हैं, मौत बेचते हैं, वैसा ही काम उनके हाथ में चल रहा है और उनकी रोक हम कर नहीं पा रहे हैं। यह केवल दिल्ली की समस्या ही, ऐसी बात नहीं है, सारे हिन्दुस्तान में, सारे भारतवर्ष में यह बात है। कुछ ऐसे स्थानों की बात को तो छोड़ दीजिये जहाँ रेल और मोटर के साधन नहीं पहुँचे हैं, जहाँ गिनती में रहने वाले लोग हैं, जो कि अपने सामने ही तेल के यहां तेल निकलवा कर लेते हैं या अपने सामने ही घी बनाने वाले से घी लेते हैं, वहाँ कोई भी ऐसा गांव, नहर या क्षेत्र नहीं बचा है जहाँ कि मिलावट की सामग्री नहीं बिकती हो, जहाँ मिलावट की सामग्री नहीं मिले और लोगों का स्वास्थ्य ठीक रहे। इस दृष्टि से हमारे विभाग ने कानून बनाया कि फूड एडल्ट्रेशन करने वालों को सजा हो, गांव-गांव में इंस्पेक्टर रखे, फिर चूंकि इंस्पेक्टर लोकल अथॉरिटीज के अन्तर्गत है, इसलिये वह ठीक तरह काम नहीं कर पाते, यह सोच कर हमारी सरकार ने कहा कि इनको प्रांतीय स्तर पर किया जाय और केन्द्रीय सरकार भी कुछ इंस्पेक्टर नियुक्त करे। लेकिन मैं एक बात पूछना चाहता हूँ कि क्या केवल इतनी सी व्यवस्था करने से हम फूड एडल्ट्रेशन को रोक पाते हैं ?

उपाध्यक्षा महोदया, मिलावट में रूकावट करने के लिये जो चार फैक्टर हैं उनमें सबसे पहला फैक्टर यह है, सब से पहली आवश्यकता यह है, कि हमारे फूड इंस्पेक्टर ईमानदार हों। अगर हमारा स्वास्थ्य विभाग सर्वे कराये तो उनको पता लगेगा कि कम से कम ७५ फी सैकड़ा फूड इंस्पेक्टर ऐसे हैं जो कि भ्रष्ट हैं और उनके परिणाम स्वरूप वह इस मामले में रोक तो करते नहीं मगर उनके रिश्तत प्राप्त करने के साधन बढ़ जाते हैं।

मैं अपने क्षेत्र, अपने जिले की बात कहता हूँ। मेरे यहाँ ईमानदार फूड इंस्पेक्टर भी हैं, बेईमान फूड इंस्पेक्टर भी हैं। तो जो ईमानदार फूड इंस्पेक्टर है, उसको भय बना रहता है, पंच लोग भी वहाँ सामने नहीं आते हैं, किसी गांव में उसे मार-पीट का भय भी बना रहता है; क्योंकि फूड विभाग ने इंस्पेक्टरों के साथ कोई चपरासी या कांस्टेबल नहीं दिया है जो कि जाकर उनकी रक्षा कर सके। उसका परिणाम यह हो रहा है कि फूड इंस्पेक्टर—जिनकी तनख्वाह भी कम है और जिन्हें भय भी है—मोचते हैं कि बेकार को भगड़ा क्यों मोल लो और यह विकल्प निकालते हैं कि रिश्तत भी खाओ, मौज से रहो और काम को भी चलने दो। तो परिणामस्वरूप एक क्षेत्र का इंस्पेक्टर ईमानदारी से काम करने की बजाय से परेशान रहता है, उसकी रक्षा के लिये कोई साधन नहीं है, पंचों को बुलाने के लिये उसके पास कोई कांस्टेबल नहीं है, कोई नौकर नहीं है, कोई चपरासी नहीं है और दूसरी तरफ एक दूसरे क्षेत्र का इंस्पेक्टर ऐसा है जो कि मौज से दौरे पर जाता है और सब काम बराबर सही मिलता है, एक एक जगह से सौ सौ रुपया महीना उसका बंधा है, मोटर साइकिल में घूमता है, मोटरों में घूमता है, तनख्वाह तो डेढ़ सौ या दो सौ रुपये है लेकिन घूमने के लिये मोटर है, मोटर साइकिल है, सब साधन है। तो ऐसी स्थिति में चाहे जितने सख्त कानून हम बनायें, चाहे कितनी भी सजा बढ़ा दें, कुछ नहीं होगा; बल्कि इससे उनके रिश्तत का रेशियो बढ़ता है, पहले मोटर साइकिल २ हार्स पावर की थी तो अब साढ़े तीन हार्स पावर की होगी, पहले छोटी मोटरें थी अब बड़ी मोटरें चलने लगेंगी। इसको रोकने के लिये जब तक हम अपने विभाग को सक्षम नहीं करते तब तक कुछ काम चल नहीं सकता। इसके एक नहीं, कई उदाहरण दिल्ली में भी बराबर देखे जा सकते हैं। अबबारों की रिपोर्ट है कि

[श्री विमल कुमार मन्नालालजी चौरङ्गिया] भ्रष्ट अधिकारियों के परिणामस्वरूप, भ्रष्ट इन्स्पेक्टरों के परिणामस्वरूप हम यह मिलावट को रोकने में असफल हैं। तो इसमें जो बेसिक फैक्टर है, जो फूड इन्स्पेक्टर है उसको बहुत अच्छी तनख्वाह दी जाय और उसके काम में जरा सी भी ढिलाई होने पर, उसके प्रति जरा सी भी शंका मालूम पड़ने पर उसके खिलाफ सख्त कार्यवाही की जाय; क्योंकि ये तो हमारे स्वास्थ्य की रक्षा के एक बहुत बड़े अंग हैं। ऐसी स्थिति में जब तक विभाग केवल दूसरे लोगों को सजा देने की बात को सोच कर ही चलेगा तब तक तो काम तो चलने वाला नहीं है। यह जो रक्षा का भार जिनके जिम्मे छोड़ा गया है, जो रक्षक के रूप में वहाँ रहते हैं, अगर वे गलती करते हैं और उस गलती को पकड़ा जाता है, उनके द्वारा भेजे गए मामले में गड़बड़ पामी जाती है तो उसके खिलाफ सख्त कार्यवाही की जानी चाहिये। यह पहले निर्णय लेना होगा। उपाध्यक्षा महोदया, मैं मध्य प्रदेश की बात जानता हूँ कि वहाँ की लेबोरेटरी में कई प्रकार की खाद्य सामग्री का अनालिस्स करने के लिये कोई सामग्री नहीं, औजार नहीं। कभी यह भी वे कहते हैं इसमें तो कीड़े पैदा हो गए, बदबू आती है, इसलिये हम जांच करना चाहते ही नहीं। दही की जांच करने के लिये उनके पास एप्लायन्स नहीं। मावा भेजा गया तो उसकी रिपोर्ट आई नहीं और आते आते कहीं कहीं तो सैम्पल्स भी गायब हो जाते हैं। मैं दो तीन उदाहरण जानता हूँ कि फूड इन्स्पेक्टर ने सैम्पल भेज दिये, सैम्पल भेजने के बाद लेबोरेटरी में भेजा, वहाँ से रिपोर्ट आती है और चूँकि मालूम हो गया कि यह इन्दौर की लेबोरेटरी में भेजा जाने वाला है तो हमारे यहाँ का दूध बेचने वाला पहले तो इन्स्पेक्टर के पास गया कि इसके डेढ़ सौ रुपये ले लीजिये; क्योंकि सजा होती है ३०० रु०। उसने कहा मुझे तो लेना नहीं है। फिर वह इन्दौर गया और वहाँ जाकर न जाने क्या किया कि

किसी तरह खुश कर लिया और वहाँ से रिपोर्ट आ गई कि इसके दूध में मिलावट नहीं, कुछ नहीं, मगर वे इन्स्पेक्टर भी जरा होशियार था। उसके पास एक और सैम्पल भी था जो उसने दूसरी लेबोरेटरी में भेज रखा था, कलकत्ता की एक लेबोरेटरी में। कलकत्ता की लेबोरेटरी से समाचार आया कि उस सैम्पल में मिलावट है। तो वह सजा भी हो गई और उसकी रिबत के पैसे भी चले गए। तो इस तरह से यह हमारे यहाँ पर लेबोरेटरी में जो गड़बड़ होती है, यह हींग का उदाहरण मैंने यहाँ दिया था। पहले टेस्ट में तो हींग अच्छी पाई गई और दूसरे टेस्ट में वह गड़बड़ पाई गई। अब लेबोरेटरी वाले बट से कह देंगे : हमको जो सैम्पल दिया गया वह अच्छा था और बाकी जो दूसरा माल था वह खराब था। इस तरह से उसमें जो गलतियाँ होती हैं, तो अगर किसी लेबोरेटरी में कोई चीज गलत पायी जाय तो दूसरी लेबोरेटरी में दूसरी तरह की रिपोर्ट पायी जाय तो उसमें ठीक से इन्वेस्टीगेशन करके जिसने गलती की है उसको सजा दी जानी चाहिये। यह दो फैक्टर्स तो हमको ठीक करने पड़ेंगे। तब हम अपेक्षा कर सकते हैं कि कोर्ट में जाने के बाद, कोर्ट ठीक रास्ते से काम करे। हम जो सजा दे रहे हैं उसका उपयोग करना तभी संभव है, जब ये दो फैक्टर्स के खयाल से हम अपने विधान में व्यवस्था करें। हमारी मंजारी जी ने पहला जो कानून रखा था उसमें कुछ इस तरह की व्यवस्था जरूर की थी कि इस तरह की गड़बड़ करने वालों के खिलाफ कार्यवाही की जाय। मगर इसमें कुछ ऐसा लगता नहीं। तो इस दृष्टि से भी कुछ किया जाना अच्छा है। अब लेबोरेटरीज का जहाँ तक सवाल है, इन्स्पेक्टरों का जहाँ तक सवाल है, मैं सुझाव देना चाहूँगा कि इन्स्पेक्टरों की तनख्वाह ठीक की जाय और अगर यह संभव हो...

شری این - ایم - انور : (مدراس) -

اپنے دوست سے میں یہ پوچھتا چاہتا ہوں کہ ہمیشہ ان کا یہ رونا ہے کہ ہمارے دیہے میں ایمان داروں کی کمی ہے - کیا تلخوواہ کے پڑھا دیہے سے ایمان داروں بڑھ جاتی ہے - ؟

†[شری ان॰ ام॰ انور (مدراس) : اپنے دوست سے میں یہ پوچھتا چاہتا ہوں کہ ہمیشہ ان کا یہ رونا ہے کہ ہمارے دیہے میں ایمان داروں کی کمی ہے۔ کیا تلخوواہ کے پڑھا دیہے سے ایمان داری بڑھ جاتی ہے؟]

شری بھیملاکھار مہالالاجی چورڈیا : اگر انور صاحب جی راغب رتا سے سوچیں تو اس نتیجے پر پہنچیں گے کہ یء کوئی ایماندار آدمی کو ایماندار رখনا ہے تو اس کے لیے اترنت اراश्यक है कि उसको पेट भरने लायक दिया जाय। अगर किसी ईमानदार आदमी को भी बेईमान बनाना है तो उसके पेट पर पट्टा बांध दीजिए और खाने को कम दीजिए, वह मजबूर होकर बेईमान बन जायगा।

شری این - ایم - انور : میرا تجویہ

ہے ہندوستان میں ۳۵ کروڑ میں سے ۳۰ کروڑ غریب غریب ایسے ہیں جو بے ایمان دار ہیں اور اس لیے اس لیے میں جو بے ایمان ہیں - تلخوواہ اور ایمانداری میں کیا رشتہ ہے ؟

†[شری ان॰ ام॰ انور : میرا تجویہ ہے۔ گوریا ہندوستان میں ۳۵ کروڑ میں سے ۳۰ کروڑ غریب ایسے ہیں جو بے ایماندار ہیں اور اسی لیے ہیں جو بے ایمان ہیں۔ تلخوواہ اور ایمانداری میں کیا رشتہ ہے؟]

شری بھیملاکھار مہالالاجی چورڈیا : میں تو یہاں جیادہ تلخوواہ کی بات اس سیمہ تک کر رہا ہوں کہ کم سے کم ان کو خا نے کو ملے۔ آج کی سیتی میں ہمارے

†[] Hindi transliteration.

فڈ انسپکٹر کو اوتا نہیں ملتا ہے کہ وہ اپنے کورمب کا پالن پوषण कर सकें। तो इस दृष्टि से पहले तो उसे बेटन ठीक दिया जाना चाहिये और दूसरे उस फूड इंस्पेक्टर के साथ में एक कांस्टेबल हो जिससे वह पंचों को बुलाने के लिये या कोई ऐसा काम करने के लिये, जैसे कि उसे अपने क्षेत्र में घूमना पड़ता है, तो उसकी रक्षा का साधन होना चाहिये।

जहां तक लेबोरेटरीज का सवाल है तो इसके लिये स्वतंत्रता दी जानी चाहिये कि वह भारतवर्ष के किसी भी लेबोरेटरी में सैम्पल को टेस्ट करवाने के लिये भेजे और अभी केवल तीन सैम्पल लेने की व्यवस्था है, उसको चार किया जाना चाहिये जिससे कि कभी लेबोरेटरी लिखे कि हमारे यहां भेजा गया सैम्पल टूट फूट गया तो कम से कम जो स्पेयर में सैम्पल हो उसका उपयोग लिया जा सके। तीसरे यह कि हमारे यहां जो ये कई केसेज ऐसे आते हैं कि जैसे बम्बई की एक कम्पनी ने पैक माल करके जैसे तेल का पीपा पैक करके मध्य प्रदेश के एक व्यापारी को भेज दिया। अब हमारा इंस्पेक्टर जाता है और उस मध्य प्रदेश के व्यापारी के यहां से सील्ड डिब्बे में से सैम्पल निकाल करके टेस्ट करने को भेजता है। अब वह सैम्पल लेबोरेटरी में जांच हुआ कि इसमें मिनावट है कि नहीं। हमारे यहां का इंस्पेक्टर उसके खिलाफ कार्यवाही कर नहीं सकता और उसके लिये हमारे यहां पर भानपुरा में एक केस हुआ जिसमें उस इंस्पेक्टर ने जयहिन्द आइल मिल्स बम्बई या कोई और आइल मिल है, उसको टेस्ट किया और रिपोर्ट मंगवाई, सब कुछ हुआ। मगर वह क्या करे? कानून में व्यवस्था नहीं है। अभी तक वह कुछ कर नहीं सका, न उसको केस के इन्वेस्टीगेशन के लिये, जाने का अधिकार है। तो ऐसी जो बड़ी बड़ी कम्पनियों की गड़बड़ होती है उसमें कार्यवाही हो इसकी व्यवस्था हमें अपने कानून में करनी चाहिये। इन

[श्री विमलकुमार मन्नालालजी चौधरी]
 शब्दों के साथ मैं प्रार्थना करूंगा कि मेरे
 सुझावों को ध्यान में रख कर सेलेक्टर
 कमेटी संशोधन करेंगी तो हम मिलावट
 रोकने में सफल होंगे, वरना जैसा चल रहा
 है चलेगा ही ।

DR. SHHIMATI PHULRENU GUHA
 (West Bengal): Madam, first of all, allow me to congratulate the Minister of Health for bringing forward this amendment. It may be permitted to say so, may I say that I would like to request the Minister to bring forward another amendment if it is found that this amendment is not strong enough to check adulteration and stronger measures will be needed. I would like to draw your attention particularly to clause 4 on page 2 about the appointment of Inspectors. In this connection, Madam, I would like to submit that the appointment of the Food Inspectors, not only of the Food Inspectors but the whole chain, should be reviewed. Not only his technical and administrative capacity should be considered but his sincerity as also his integrity should be considered when he or she are appointed. It may be said that it will be difficult to appoint like that. But if we want that our country should progress and if we want that our children do not suffer from adulterated food, our nation do not suffer from adulterated food, we must evolve that procedure, and for that I humbly suggest that the persons should no doubt have technical and administrative capacity, but they should be appointed only after they prove their integrity and sincerity as Food Inspectors and the higher ups who deal with these Food Inspectors.

In this connection I may point out that the Judicial section in India are really above suspicion in our country. How could it be created? It is because it is the tradition and India is keeping it up. If really the people and the Government want that tradition to be built up in our food sector also, I am sure the Government with

the help of the people will start this practice, and it can be done.

I would like to touch upon another point also. It is not that there is adulteration in food or some other things but we find that food and different articles of food and medicines are not actually adulterated but their standard is not up to the mark. In this connection I should like to bring to your notice a fact for which I hope you will excuse me. I think about two or three years back I was ill. A prescription was there from a doctor. Naturally I got the medicine from a shop. That prescription was to be repeated two days after. When it was repeated I saw that the colour was a little bit different. So I was a bit hesitant to take that medicine. I sent that medicine for examination and it was found that one of the medicines which was very expensive in that prescription was not given in the proper quantity. Therefore, sometimes though adulteration may not take place, the standard may be very low. I think we should take care of that also.

3 P.M.

Then I would like to refer to the provision regarding punishment for adulteration. Madam, I quite realise that the provision for imprisonment and fine must be there but in this connection please allow me to say that it is not difficult for big business people, big manufacturers, to give a part of their profits by way of fines. When they make huge profits, lakhs and crores of rupees, by adulteration, they can easily part with some of that money by way of fine. So my humble submission is that when there is adulteration, when sub-standard articles are produced, nobody should get away without imprisonment. There may be fine also but imprisonment must be there and also a maximum imprisonment should be given to adulterators.

In this connection I would like to submit that the Select Committee should consider whether six months by

way of imprisonment is good enough. According to me that is not enough because when these people do not care, for the country, do not care for the children of our nation, they must be given sufficient punishment. So we have to see whether the term of imprisonment can be increased. Proper atmosphere should be created so that nobody can dare to adulterate food articles and other things. The Select Committee should examine whether more rigorous punishment can be provided for in this Bill. But under no circumstances should they be able to get away with fines only. Imprisonment must be there in this amending Bill.

With these words, Madam, I heartily congratulate the hon. Health Minister for bringing forward this measure before this House.

SHRI SANKAR PRATAP SINGH DEV (Orissa): Madam Deputy Chairman, I welcome this motion as this is going to be sent to the Joint Committee for comprehensive study. I hope the Select Committee would go into the various aspects of the Bill and recommend a solution for the problem. It is not only the law, the corrupt officials, but also poor laboratory facilities are the major factors for increased adulteration, and also, Madam, it is the modern tendencies to discover substitutes at cheaper rates due to inadequate production of food and overpopulation on the one hand and on the other the financial factors. So actually, the Select Committee has to come out with comprehensive and concrete measures on a war footing. In fact, it is a war against the internal enemies. They are not only internal enemies, but they are murderers. Murders are generally committed on three motives. An eminent jurist has said that there are three motives for murders, three *Zs*, *zan*, *zar* and *zamin*, women, money and land. So these manufacturers are doing all this mischief out of their lust for money. The motive behind adulteration is to get more and more money. It is a social offence. The Report of 1358 indicates an increase from 159 to 66-7 per cent, vary-

ing in different States while the all-India figure stands at 29.1 per cent, which is staggering. These figures are based on detected cases. I do not know Madam, how many cases have not been detected. The approach to this problem must be a national one. It is the wholesaler, the manufacturer and the dealer who should be subjected to stricter scrutiny and punishment, if found guilty. But during the last 17 years of independence how many of them have been punished. The Government is not in a position to prosecute any of them because they are the purse of the ruling party. Therefore, it is not the laws that we pass here nor their deterrent character but the implementation of laws that would put a stop to adulteration. An inspector, however dutiful and active, will not dare to proceed against the big businessmen, because they have contacts with the people in authority. I will just give an instance. The first Chief Minister of West Bengal was very enthusiastic to check adulteration and he detected two lorry-loads of tamarind powder in one of the streets in Bara Bazaar. It was going to be mixed with flour. I think it took one month when he had to leave his gaddi. So it will be seen from this how an inspector will stand the test.

Now I am coming to vanaspathi which has become the main medium of cooking in the country. It is a substitute of ghee. It is very dangerous for health. Dr. Patwardhan who experimented it on some rats found that in the second generation the rats got blind and there was infantile mortality. If it is to be given as a dose for family planning, it is all right but to use it as ghee is very harmful to health. The outbreak of paralysis in West Bengal and Assam was due to adulteration of foodstuffs. Gastroenteritis in Bombay and Surat was the result of food adulteration. Mr. Sanjiva Reddy, the former Chief Minister of Andhra, once said that more than half the medicines are adulterated. What steps have been taken against the culprits? No steps have so far been taken, which is spec-

[Shri Sankar Pratap Singh Dev.]

tacular. So these things ought to be checked and punishment given to those who adulterate as if they are murderers. I hope the Select Committee will make suitable provisions in the Bill. Thank you.

SHRI P. K. KUMARAN (Andhra Pradesh): Madam Deputy Chairman, I consider the Bill a very necessary one. We cannot credit the Government with implementing even the present Act with any sincerity or any sense of vigilance. However, we have the present Bill, and let us hope that it is for the better. Wherever the provisions of the present Act are applied, it has only resulted in complaints. You know, Madam, in towns, especially in small towns there are retailers, not big retailers, but people who own small stores in the side lanes. They purchase their provisions and other things which they sell day by day, purchasing them once in two days from the big stores. Now a number of cases have come, wherever the provisions of the present Act have been applied, only such people have been caught, and when they are prosecuted and fined three hundred rupees or five hundred rupees, with the fines many of them have closed down their shops once and for ever. I think clause 8 of this Bill is intended to cover such cases; I do not know whether these provisions will protect them. Anyway the cases of these small retailers have got to be borne in mind, and since the Bill is going to the Select Committee, I hope the Select Committee will give special consideration to this* aspect. Again, on page 2, in clause 5, the proposed change in sub-section 10 (7) -reads:

"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."

The words are to be replaced now by the words "call one or more persons to be present at the time when such action is taken and take his or their signatures". At present two witnesses are required, and here one witness will do, and I think this is not fair to the party concerned. This aspect also has got to be considered.

Then as far as food articles are concerned, many speakers have emphasised blackmarketing. Now, adulteration has become almost a part of our national character, especially after the Second World War. So to wipe these two characteristics out of our society a lot of stringent measures has got to be adopted. In the case of dal I was told that where the beans are converted¹ into dal, in order to get it classified as superior variety, some sort of mild colouring takes place. This leads to the *dal* being sold as superior variety and of course they are making extra profit out of it. Now how to locate this? The plea of the merchants is that it is at the source that these stringent measures, that rigorous checking has to be done, not at the source of sale.

Another point which I would like to bring to the notice of the hon. Minister is the question of boiled rice. Boiled rice, I am afraid, will not technically come under the definition of 'adulteration'. There is the practice in our country, at least in the whole of Kerala and in parts of Tamilnad the people eat boiled rice. Now the paddy is boiled first and then kept in the sun, and before water has completely dried up, they start bagging it, so much so that parts of the water which are in the boiled grain add to the weight of the bags. When once this grain is bagged in that condition, it spoils the grain, with the result that when the grain is sold out, I mean the rice is sold out, and when you cook the food, you get a bad smell. That is the main complaint made by the consumer when such

boiled rice is eaten. To prevent this some check should be devised. I do not know; that, of course, is not adulteration, but it definitely deteriorates the quality of the food and also brings down the health of the consumers; it is a problem of health. Hence it should be brought within the purview of this Bill—I do know how it is to be done. It is also said that the factories are deliberately adding small grains of mud or small grains of fine sand; that is also to be found in rice, and it is going on in certain places. To prevent these two things some provision has got to be included in this Bill, and since the Bill is going to the Select Committee, I hope the Members of the Select Committee will pay special attention to this problem.

With these words I support the motion.

DR. D. S. RAJU: Madam Deputy Chairman, I would like to thank all the hon. Members who have so kindly spoken on this Bill and given such valuable suggestions and given their approval that the Bill be passed on to the Joint Select Committee.

Madam Deputy Chairman, it is very unfortunate that adulteration is still going on in this country, adulteration of food, adulteration of drugs, and so on; this evil is still existing, and perhaps slightly increasing too; there is no doubt about it, it is simply seen and I am glad that almost all the hon. Members have stressed that the punishment should be made more deterrent. Factually, I think, perhaps no country in the world is free from this evil. It depends upon so many factors, upon our educational, cultural and moral standards, and also perhaps upon the political form of Government. These are all the factors which play a part in the existence of this evil. Now those people who adulterate food are generally, morally very weak and are cowards. So adequate, punishment will certainly

act as deterrent to them. However, this is not the only way by which we can eradicate this evil. Social education, improvement of moral standards and economic well-being etc., all these things are necessary measures. For the time being, I think, since the Bill is going before the Select Committee, all the various suggestions which have been made by the hon. Members will be considered by the Joint Select Committee, and perhaps they will invite representations from trade and industry, from the various organisations which are connected with this business, and their suggestions will also be taken into consideration. According to jurisprudence no innocent man should be punished rather than let nine or ten guilty people escape. That is the basis of our jurisprudence and that is why I said political form of Government also determines the extent of the evil. And on account of the basis of this jurisprudence we have got to be extremely careful; we cannot afford to punish any innocent person. On the other hand we should not forget that the trade and the industry also must be protected. Otherwise it is very difficult for the society to exist and prosper.

Some of the hon. Members have mentioned about the selection and training of inspectors. We are trying to improve their standards; their conditions of service also will be improved, and it is proposed to give the Central Government powers to appoint inspectors—whereas hitherto according to section 9, only the State Governments and the local authorities have the power to appoint the inspectors, now the Central Government also will be enabled to appoint the inspectors as and when required.

Hitherto according to section 20(1), prosecutions can be launched only by the State Government. Now that power is proposed to be given to the Central Government also. Now the punishment also has been enhanced; for the first offence, second offence,

[Dr. D. S. Raju.] and third offence, more stringent punishments have been suggested. However all these factors will be taken into consideration by the Select Committee and a final form of the Bill will be presented to the hon. Members of this House.

I do not think it is necessary for me to make any long speech but I would again like to thank all the hon. Members for accepting this Bill to be considered by the Select Committee. Thank you very much.

THE DEPUTY CHAIRMAN: The question is:

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the Prevention of Food Adulteration Act, 1954, and resolves that the following Members of the Rajya Sabha be nominated to serve, on the said Joint Committee: —

1. Shrimati C. Ammanna Raja.
2. Shri Arjun Arora.
3. Shri R. K. Bhuwalka.
4. Shri J. C. Chatterji.
5. Shri K. Damodaran.
6. Shrimati Jahanara Jaipal Singh.
7. Shri Shantilal Kothari.
3. Shri S. S. Mariswamy.
9. Shri Deokinadan Narayan.
10. Shri Palat Kunhi Koya.
11. Shri Niranjan Singh."

The motion was adopted.

THE GOLD (CONTROL) BILL, 1963

THE MINISTER OF PLANNING (SHRI B. R. BHAGAT) : Madam Deputy Chairman, I beg to move:

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on

the Bill to provide, in the economic and financial interests of the community, for the control of the production, supply, distribution, use and possession of, and business in, gold and ornaments and other articles of gold and for matters connected therewith and resolves that the following Members of the Rajya Sabha be nominated to serve on the said Joint Committee:

1. Shri Mahabir Dass,
2. Shri Suresh J. Desai,
3. Shri B. K. Gaikwad,
4. Shri I. K. Gujral,
5. Shrimati Nandini Satpathy.
6. Shri C. D. Pandey,
7. Shri Dahyabhai V. Patel,
8. Shri P. Ramamurti,
9. Shri Shiva Nand Ramaul,
10. Shri V. C. Kesava Rao,
11. Shri Sherkhan,
12. Shri M. P. Shukla,
13. Shri Rajendra Pratap Sinha,
14. Shrimati Tara Ramachandra Sathe,
15. Shri A. M. Tariq."

The Gold (Control) Bill has been introduced in pursuance of the Finance Minister's statement made in Parliament on the 21st September, 1963, to replace the order issued under the Defence of India Rules by a statute. India is not a major producer of gold. At the same time there continues to be a large demand for gold in the country. This is mainly for two reasons: firstly, for investment and secondly, for ornaments. To meet these demands imports would be necessary. The country is under great pressure and difficulty for the import of essential machinery and raw materials for the agricultural, industrial and general development of the country. Since the beginning of the Second World War import of gold has had to be virtually suspended. At present, as the hon. Members are aware, we have an adverse balance of trade in view of the large imports necessary on other counts. Import of gold, therefore, is not possible. At the