

COMMITTEE ON PETITIONS

(SEVENTH LOK SABHA)

SIXTEENTH REPORT



[Presented to Lok Sabha on 11th April, 1984]

LOK SABHA SECRETARIAT
NEW DELHI

April, 1984/Chaitra, 1906 (Saka)

8.37/10

Price 1 Rs. 3.50 p.

Corrigenda to Sixteenth Report
of Committee on Petitions (7L⁶)

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COMPOSITION OF THE COMMITTEE ON PETITIONS
(1983-84)

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Shri S.P. Gupta—*Chief Personnel and Executive Officer*

Shri S.S. Chawla—*Senior Legislative Committee Officer*

† Nominated *w.e.f.* 3 September, 1983.

* Nominated with effect from 23 June, 1983 *vice* Shri Motibhai R. Chaudhuri resigned.

**SIXTEENTH REPORT OF THE COMMITTEE ON PETITIONS
(SEVENTH LOK SABHA)**

I

INTRODUCTION

1.1 I, the Chairman of the Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this Sixteenth Report of the Committee to the House on the following matters :—

- (i) Petition No. 8 regarding national health policy, re-orientation of medical education, employment of medical graduates, setting up of medical university and more budgetary allocation on health.
- (ii) Representation regarding supply policy of levy cement.
- (iii) Representation regarding grievances and demands of fishermen.
- (iv) Representation from Small Scale Stainless Steel Melters Association, Jagadhri, regarding exemption of custom duty on import of scrap.
- (v) Representation regarding ban on cultivation, purchase and sale of Kesafi Dal.
- (vi) Representation regarding vacation of premises of Samaj Sadan, Ring Road, Kidwai Nagar, New Delhi.

1.2 The Committee considered the above matters at their sittings held on 4th September, 1982, 12th April, 1983 and 3rd and 23rd January, 1984.

1.3 The Committee considered their draft Report at their sitting held on 2nd April, 1984 and adopted it.

1.4 The observations/recommendations of the Committee on the above matters have been included in this Report.

NEW DELHI ;
2nd April, 1984

Chaitra 13, 1906 (Saka)

K.P. TEWARI,
Chairman
Committee on Petitions

II

PETITION NO. 8 REGARDING NATIONAL HEALTH POLICY, RE-ORIENTATION OF MEDICAL EDUCATION, EMPLOYMENT OF MEDICAL GRADUATES, SETTING UP OF MEDICAL UNIVERSITY AND MORE BUDGETARY ALLOCATION ON HEALTH

2.1 Petition No. 8 signed by Dr. Arun Mitra, President and Shrimati Usha Shrivastawa, General Secretary, respectively, of the All India Medicos' Federation, New Deihhi regarding national health policy, re-orientation of medical education, employment of medical graduates, setting up of medical university and more budgetary allocation on health was presented to Lok Sabha on 28th November, 1980 by Shrimati Geeta Mukherjee, M.P.

A. *Petitioners' Grievances and Prayer*

2.2 In their petition (*See Appendix I*), the petitioners stated, *inter alia*, as follows :—

“More than half the deaths in rural areas take place without any medical attention in an institution or examination by a doctor.

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...On one side more than 15,000 medical graduates are unemployed today and on the other side vast majority of our population especially in rural areas and urban slums are deprived of even minjimum health care facilities.

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There is need to change the emphasis in our national health policy from curative to preventive medicine. The successive Governments have ignored the problems of health care and medical education. While we need cheaper drugs, they have allowed multinational companies to dominate our drug industry and charge exorbitant prices for drugs.

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There is need to strengthen public sector in drug industry. Indigenous drugs should be promoted through proper research and clinical trial. Drugs should be produced by using coal carbonisation by products and phytochemicals. "Adequate supply of essential and life saving drugs should be ensured."

2.3 The petitioners prayed for the following steps :-

- (1) Evolving and implementing a proper national health policy to guarantee comprehensive health care to the people.
- (2) Reorientation of medical education according to new perspectives.
- (3) Jobs should be guaranteed to all medical graduates.
- (4) Medical University should be set up to ensure uniformity in medical education.
- (5) Multinational companies in drug industry should be immediately taken over and uninterrupted supply of essential and life saving drugs should be ensured.
- (6) More facilities for hostels, laboratories, libraries and research should be provided. Increase in stipend of internees, housemen and post-graduate students. Increase in number of scholarships for under graduate students.
- (7) More budgetary allocation on health.

B. Comments of the Ministry of Health and Family Welfare (Department of Health) and Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers)

2.4 The petition was referred to the Ministry of Health and Family Welfare (Department of Health) and the Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers) for furnishing their factual comments thereon for consideration by the Committee on Petitions.

2.5 In their factual notes, (See Appendices II & III), the Ministries have stated, *inter alia*, as follows :-

Ministry of Health and Family Welfare (Department of Health) note dated 2nd March, 1982.

- (1) "The National Health Policy, the National Population Policy

and the National Medical and Health Educating Policy are in the process of being formulated.

- (2) The draft documents on Health Policy and Medical and Health Education Policy are being finalised with a view to setting out a practical approach for raising the health status of all people of the country within a phased time-bound programme, through the universal provision of comprehensive primary health care, nearest to the door-steps of the people.

...The Government have also set up, in September, 1981, a Medical Education Review Committee to undertake a thorough review and to make recommendations for the all round reform of the existing medical education system.

- (3) ...The various efforts are directed towards securing greater harmony between demand and production of doctors, at various levels of functioning.
- (4) The need for the establishment of a Medical University shall be viewed in the light of the priorities emerging in the national policy documents, under formulation, as well as with reference to the recommendations of the Medical Education Review Committee.
- (5) This concerns Department of Chemicals and Fertilizers.
- (6) The Medical Education Review Committee, *is inter alia*, reviewing the working of the Residents Scheme along with the Housemanship Programme and is expected to make recommendations regarding a uniform pattern of Post-Graduate training. Outlays for medical research have been stepped up manifolds during the VI Plan. As regards expansion of facilities, scholarship etc. necessary action can be taken by the concerned State Governments, within their over all resources.
- (7) Within the overall availability of resources, allocations for the Health Sectors, in the successive Five Year Plans receive as much support as is possible."

Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers) note dated 10th March, 1981.

I. Government have allowed multinational companies to dominate our drug industry and charge exorbitant prices.

“Drug prices have been under control for some years now. Drugs (Prices Control) Orders, 1979 provides for cost studies on bulk drugs and rationalisation of mark up which are being implemented. When this is fully implemented there will be little scope for multinational or other companies to charge exorbitant prices for essential drugs and formulations under price control.

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II. Need to strengthen public sector in drug Industry.

According to the New Drug Policy, public sector in drug industry is being given a leading role in production and distribution of drugs and pharmaceuticals and it is expected that when all the schemes so far approved and those that may be taken up during the Sixth Plan are implemented, it will be in a position to play a dominant role in the drug industry. The new drug policy reserves as many as 21 bulk drugs for the public sector.

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III. Drugs should be produced by using coal carbonisation by products and phytochemicals.

The Government are taking active steps to set up projects for recovery of aromatics like Benzens, Tolunene etc., from the Bombay High-Gas and have constituted an expert Site Selection Committee. The Committee would be submitting its report very shortly. Even in regard to coal based chemicals the Government have appointed another expert Committee to study the various aspects of the optimal recovery and utilisation of coal chemicals from coal carbonisation plants.

IV. Adequate supply of essential and life saving drugs should be ensured.

Government monitors the availability of essential and life-saving drugs. For this purpose, the production of certain selected

essential bulk drugs are monitored. In cases of short supply of life-saving bulk-drugs, remedial measures like (a) enhancement of Import Plan of canalised bulk drugs; (b) air-freighting of essential canalised bulk drugs; and (c) *ad hoc* allocation of canalised bulk drugs are also taken.

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V. Take over of multinational companies in drug industry.

The question of nationalisation of drug industry was discussed in detail by the (Hathi) Committee on Drugs and Pharmaceuticals Industry.

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This Committee could not reach unanimity on the view that the multinational firms should be taken over forthwith."

C. Evidence before the Committee

2.6 The Committee on Petitions at their sitting held on 4th September, 1982 considered the petition and decided to take oral evidence of the representatives of the Ministries of Health and Family Welfare (Department of Health) and Chemicals and Fertilisers in the matter.

(a) Evidence of the representatives of the Ministry of Health and Family Welfare (Department of Health)

2.7 In his evidence before the Committee on 12th April, 1983, the Additional Secretary (Health) while explaining the broad dimensions of the Plan allocation, stated that the Sixth Plan allocation for Health was divided into two sectors, *viz.* the Central Sector administered by the Ministry of Health and its outlay for 5 years was of the order of Rs. 601 crores. So far as the allocation for States was concerned, it stood at Rs. 1200 crores. The total allocation, thus, amounted to Rs. 1800 crores under the Head. Out of that, on the Minimum Needs Programme which was in the 20-Point Programme, the investment was to the tune of Rs. 577 crores only and that was the component which the Ministry administered. The other major sector constituted the control of communicable diseases, involved an outlay of Rs. 525 crores. Out of 1800 crores, an amount of Rs. 224 crores was spent as Central share on malaria eradication programme. Then, there was allocation for

medical education, hospitals and dispensaries. The total amount came to Rs. 720 crores. Continuing, he said, that allocation for family planning was Rs. 1,500 crores during the Sixth Plan, which was likely to be substantially increased because of the several mid-term new inventions which the Cabinet had sanctioned. It might cross Rs. 2000 crores by the end of the Sixth Plan. He further stated that Central Government was mainly concerned with the achievement in terms of minimum health programme, in terms of substantive programme and primary health programmes. The primary health sector according to him was taken care of by the State Governments.

2.8 Explaining the extent of monitoring done by the Ministry in terms of targets in respect of minimum needs programme, T.B., Malaria, Leprosy, control of blindness on the health side, the representative of the Ministry stated that it was extremely comprehensive so far as family welfare programme was concerned, because it was through that instrument that they hoped to motivate the State Governments and got some of these things achieved in the field. Such a monitoring was done on the basis of monthly and quarterly reports and through the Health Secretaries' half-yearly meeting with the Minister of Health. They also held regional meeting every year and convened a meeting of the Central Council of Health, Central Council of Family Welfare which was attended by all the State Health Ministers. That process was further augmented by the Reports about physical targets achieved sent by the Central Government's Regional Directors in the various States and a qualitative check exercised through inspection.

2.9 Coming to the medical education, the representative of the Ministry stated that their inter-action was in two directions, viz., firstly at the time of Annual Plan discussions, they kept a close scrutiny on the allocations made in that behalf in terms of the supplementation that they had to make all the facilities both on the teaching and hospital side and on the clinical side and secondly through the Medical Council of India, they discharged a number of statutory responsibilities.

2.10 On being asked to furnish the break-up of the figure of Rs. 601 crores under the Health Salaries of staff and administrative set-up etc., the representative of the Ministry undertook to furnish the requisite information later. He, however, admitted that a very high proportion of the expenditure was incurred on Establishment, etc.

2.11 The Committee then asked the Director General of Health Services to state the broad features of the National Health Policy. He stated that the main features of the Policy comprised of National Population and National Medical Health Policy. In the National Health Policy the emphasis was placed on preventive, promotive and curative health aspect. Secondly, it would be adequately integrated with the General Health Service. Thirdly, they aimed at bringing about the service as close to the beneficiaries as possible, wherever they were, whether, in villages or in urban areas. Fourthly, they tried to reduce pressure on Government Hospitals and with that end in view, he suggested that private enterprise and voluntary organisations should be brought into the field of health services, as Government could not bear the entire burden. Fifthly, a co-ordinated programme should be launched for the medical care of the physically handicapped, mentally retarded, deaf, dumb and other handicapped people. Sixthly, their aim was to provide health services in the tribal and hilly areas which were backward areas where there were endemic diseases as a result of pollution etc. He added that their aim was to provide health services on first priority basis to the vulnerable section of the society affected by these diseases. He further stated that there should be re-orientation of the existing health personnel, who had been hithertofore doing only routine work and they should be imparted some sort of re-orientation course in health services. The Director General of Health Services was also in favour of phasing out private practice by medical personnel in Government service providing at the same time for payment of appropriate compensation. He further advocated the following measures as a part of the Health care-programme :—

- (i) The various indigenous systems of medicine e.g., Homeopathy, Yoga, Naturopathy etc. should be given due encouragement and full use made of the existing practitioners within the overall health care delivery system;
- (ii) Safe drinking water and sanitary disposal of waste waters should be provided to cover the entire population of the country on a time-bound programme basis;
- (iii) Steps should be taken to check the haphazard exploitation of natural resources which led to the ecological disturbances causing fresh health hazards;

- (iv) A national immunisation programme, envisaging cent per cent coverage of targeted population groups with vaccines against preventable and communicable diseases and infant mortality. Highest priority to be given for launching programmes for the improvement of the health of mothers and children, with special attention to less privileged sections of society; establishment of organised school health services and occupational health services; nationwide health education programme, increasing the production of essential and life saving drugs, vaccines etc.

2.12 The Committee then asked the Director General of Health Services to furnish information re. the reorientation of medical education in the country. The representative urged that, at present, there was an urgent need to inculcate in the Medical Students a feeling to serve in the rural areas, as presently, the medical education was city-oriented. To achieve that end, he said, they had developed a scheme under which all the medical colleges in the country were to be attached to the Primary Health Centres located in the villages. Every medical college had been supplied 3 Mobile Vans. Every Medical College would have a jurisdiction of three Primary Health Centres where the students and staff of the Medical Colleges were supposed to come and keep in touch with the rural people. For covering three community development blocks, financial assistance was given to the Medical Colleges of Rs 3.0 lakhs as non-recurring expenditure towards residential accommodation, seminar rooms, lecture-cum-consultation rooms etc. and Rs.1.29 lakhs for mobile clinics, office expenditure, drugs etc. In addition, they were giving additional Rs. 3.20 lakhs per Primary Health Centre. It thus came to Rs. 9.60 lakhs for 3 Primary Health Centres. Further, they gave Rs. 75,000 per college for mini-bus so that the students could go to the Community Health Centre to render services. They also gave Rs. 90,000 per college for construction of garages for the mobile clinics. Thus, the whole aim of re-orientation was to bring students as close to the community as possible. As one of the measures to make the students familiar with the rural areas, the Medical Education Review Committee had expressed the view that during the internship, at least 6 months should be spent by the medical students in rural areas.

2.13 When asked whether they had taken any follow-up action to check whether the facilities like mini-bus provided by them were being availed of by the students, the Director General of Health Servi-

ces stated that they had done evaluation in 1981. A British Team also came and they wanted to know how the mobile vans, given by the British Government, were being utilised. The Evaluation Team had evolved a proforma for collection of information from various Medical Colleges implementing that Scheme. At the time of review, 41 out of 106 Medical Colleges had sent the proforma, he added.

When asked specifically about the outcome of the appraisal of such facilities provided by them, the Director General of Health Service stated that while their officers visited the Medical Colleges, they did check all that. But the difficulty which came in the way was reluctance on the part of the State Governments to spend on the Petroleum, Oil and Lubricants (POL).

The Director-General of Health Services also informed the Committee that in the interim report the Evaluation Team had observed that, by and large, most of the institutions had started implementing the scheme in the spirit in which it was envisaged. They had also observed that more financial inputs were required to consolidate phase-I of the programme. On the basis of that recommendation, the Government had provided more financial inputs to them.

2.14 In reply to a question that since about 15000 Doctors were unemployed, what action did Government take to draft them to the Villages, the representative of the Ministry of Health stated that the statement that large number of doctors were unemployed was not correct. In support, he furnished information regarding the doctors recruited through the Union Public Service Commission to the C.H.S., Railway Medical Services, and certain other Services. On being pointed out that whether it was due to the fact that the service conditions were not being attractive, the Medical Graduates did not join service, the representative of the Ministry stated that according to their information, 497 Primary Health Centres were having 2 Doctors or more, 538 had one Doctor; 63 did not have a Doctor—subsequently that could have been filled up. 51 Primary Health Centres did not send reports. There was tremendous pressure for admission into the 110 Medical Colleges in the country, he added.

2.15 As one of the measures to overcome the situation, the Committee desired to know whether the Government considered the desirability of inserting a condition in the relevant rules that the medical degree

would be granted only if the Medical Graduate served in a village for a year or so. The Director-General of Health Services stated that the matter was very much under Government's consideration. He suggested that some incentives like rent-free accommodation, rural area allowances etc. should be given to the Doctors to serve in the rural areas. Further, those doctors who served in the rural areas would be given preference for admission to the Post-Graduate courses, higher age limit retirement benefit etc. they could retire from service at the age of 60 or 62. In reply to a question about the processing of the Report of the Review Committee set up in 1981, he stated that it was received only a few weeks ago and was in the process of being examined in consultation with other concerned Ministries like Education, Finance etc.

2.16 The Committee then asked about the implementation of the Rural Health Programme. The Deputy Director General (Rural Health) stated that it was actually a part of the 'Health for all by 2000 AD' Scheme. It was also included in 20-Point Programme and the Minimum Needs Programme. Now they were aiming at building up a structure in the villages by setting up one sub-centre for every 5,000 rural population in general, but for every 3,000 in tribal, hilly and backward areas. As one of the measures to take care of people's health needs, they had trained over 4 lakh 'dais' and they aimed to provide one 'dai' in every village. The other Scheme viz., the Health Guide Scheme was a unique one in its concept that it should be the village community which should be involved more and more so that they could release their responsibility and take care of Health problem. Their target was to have one Health Guide in every village, or on an average, for every—1,000 of population. That scheme, he said, had not been accepted by Kerala and Tamil Nadu. J&K was implementing an alternative scheme. They hoped to implement the scheme in the whole country by 1.4.1984. With that end in view they had already trained about 2.5 lakhs of Health Guides who were working and they hoped to achieve the target except in Bihar and Rajasthan. That scheme, he said, was being monitored by them very closely. For that purpose, they went to the villages and interviewed the people and asked for their suggestions. They had interviewed about 30,000 persons from the villages and over 95% were very strong supporters of that scheme. The main advantage of that scheme was that 50% of expenditure went towards the provision of medicines. He further stated that the Scheme required at least 25,000 Primary Health Centres in the country against 6,000 which they had at present. They had also 15,000 rural dispensaries

which had been doing curative work. The new scheme had been introduced to involve the rural people in total health aspect.

(b) . *Evidence of the representatives of the Ministry of Chemicals and Fertilizers*

2.17 On 12th April, 1983, the Committee also examined the representatives of the Ministry of Chemicals and Fertilizers on the various points arising out of the Petition which related to that Ministry.

2.18 The Committee wanted to know the progress made so far by the Ministry of Chemicals towards the implementation of the provisions of the Drugs (Price Control) Order, 1979 in so far as the cost studies on bulk drugs and rationalisation of mark-ups were concerned. The Development Commissioner stated that the Drugs (Prices Control) Order, 1979 laid down three categories of formulations which were priced and controlled. viz., I-Essential and Life Saving Drugs; II-Essential Drugs for mass consumption and III-Other important Drugs. On each one of them the mark-ups had been fixed, he added. Elucidating the price fixation mechanism the witness stated that on category I formulations, there was a mark-up of 40%; on category II, there was a mark-up of 55% and on category III, it ranged from 60 to 100%. In the case of bulk drugs, he added there were two schedules—drugs of one Schedule got the cost plus a post tax return of 12% on net worth and the other schedule got a post tax return of 14% on net worth. Continuing he said that with a view to encouraging new entrepreneurs and greater production of drugs in the country, there also existed a provision under which Government fixed the retention prices for each manufacturer and a common sale price at which they would sell to the formulators. A pool price was fixed for the bulk drugs manufactured indigenously and those imported from abroad. There were in all 347 bulk drugs which fell within the price control scheme. Out of that, 200 were produced in the country; the price of 180 of them had been fixed. During 1982-83 price revisions of 27 took place. So far as formulations were concerned, during 1982-83, price of 190 leader packs and about 1500 other packs had been revised. He stated that the small units having sales turn over upto Rs. 50 lakhs were not within the ambit of the price control.

2.19 When asked whether the large drug manufacturing companies were assisting the small units to set up factories by transferring their technology and marketing expertise, the witness stated that there existed a loan licence system under which new licences were not issued to

the multi-national companies. Supplementing, the Secretary, Ministry of Chemicals stated that fortunately Indian sector industries had grown considerably over the years now and they themselves had become a watchdog on the multi-nationals and if anywhere anything was going wrong or multi-nationals misusing any position or indulging in any such thing, it was immediately brought to their notice by the Indian sector. A code of discipline, he added, was being observed by the multi-nationals.

2.20 Enquired about the progress made by the Public Sector Drug Units in so far as their expansion and production of new drugs formulations was concerned, the Joint Secretary of the Ministry of Chemicals and Fertilizers stated that there were the following four public sector units in the field and there was a fifth unit which was managed by Government : (i) IDPL (ii) HAL (iii) Bengal Chemicals and Pharmaceuticals and (iv) Smith Stanistreet & Co.

2.21 All these Units were undertaking regular expansion. Out of 200 indigenous bulk drugs, these units were capable of producing about 70 bulk drugs and they had increased their production considerably from existing Rs. 60 to 104 crores.

2.22 In reply to another question about the area covered by the public sector units, the Secretary, Ministry of Chemicals and Fertilizers stated that so far as bulk drugs were concerned their share had increased from 24.5% in 1978-79 to 26.25% in 1980-81 and as regards the formulations, it had gone up from 5.7% in 1978-79 to 7.2% in 1981-82. Basically, they required self-sufficiency in the area of bulk drugs. That was the main reason why public sector units were set up to produce bulk drugs at the basic stage, he added. He added that they proposed to increase production of both the bulk drugs and formulations before the end of the Sixth Plan.

2.23 When asked what they had done to give the Public sector a leading role in the production and distribution of bulk drugs in view of the hold the multinationals had at present in the market, the representative stated that generally, the bulk drugs were less profitable as all the profits were in formulation. If the public sector took over bulk drug production, allowed multi-nationals to go in for formulations and make profits that would result in Govt. investing more money and it would not thus be a profitable proposition. Elucidating the issue further, the witness stated that apart from profitability, there were other aspects also—the public sector did not have all the technology as technology of most of the

newly discovered drugs was not easily available. In the scheme of things, the multi-nationals had also to be utilised in the bulk drug sector through their high technology.

2.24 The Secretary, Ministry of Chemicals and Fertilizers told the Committee that they charged their concern in so far as the transfer of advanced technology for the manufacture of various drugs by the multinationals to the Indian sector was concerned. Stating the total production of bulk drugs in the various sectors during 1981-82 which was Rs. 289 crores, the share of the Indian sector, was Rs. 217 crores. He expressed the hope that the share of the Indian sector in the field of bulk drug production by the year 1984-85 would be about 64% and that of foreign sector was 16%.

2.25 As regards formulations, the witness stated that the multinationals sector was very well entrenched although they had reduced the percentage held by them to about 40%. In reply to a question, the witness stated that there was a price preference to the public sector and also to the small sector in the matter of supply of drugs of the Government dispensaries and hospitals.

2.26 Clarifying the extent to which drug prices had come down as a result of the Drugs (Prices Control) Order, 1979, the representative of the Ministry of Chemicals stated that while under this Order formulation prices were frozen where they were when it was enforced, by and large, over the years, the cost had been increasing—the area of reduction was really reduction in the mark-ups that were permitted earlier and which had now been made uniform. He assured the Committee that they were following a system whereby price control was there.

2.27 Intervening, the Secretary, Ministry of Chemicals stated that there were certain parameters which the Bureau of Industrial Cost and Prices followed to study the cost of production of bulk drugs and formulations of all Units at every stage and various norms were followed to ensure that the prices were reasonable and the Drug Companies did not make undue profits out of it.

2.28 As regards, Research and Development in the Public Sector, the Adviser stated that in the public sector unit they were manufacturing about 60 drugs—out of which for a large number of drugs they had developed technologies. He added that presently in the Public Sector, they were producing over 50% of the antibiotics which were required in the

country. He added that they were really interested in the development of drug technology which should be produced at a minimum cost and conformed to pharmacopoeial standards.

2.29 When asked about the coordination between the Public Sector units and the Indian private sector in the sphere of Research and Development, the witness stated that there was no coordination as such, because the transfer of technology was very difficult. For obvious reasons, it was kept a secret and could not be disclosed to others. On being asked by the Committee whether the Public Sector and Private Sector Companies in the Indian sector could work together in that sphere and take a lead over the international companies, the witness stated that they were looking forward to that day.

2.30 Subsequently, the Ministry of Health and Family Welfare (Department of Health) has furnished the break-up of outlay of Rs. 601 crores—the summary as well as scheme-wise revised outlay for Sixth Five Year Plan—Central Health Sector. (See Appendix IV) as desired by the Committee.

D. Observations/Recommendations of the Committee

2.31 The Committee have considered the Petition regarding national health policy, re-orientation of medical education, employment of medical graduates, setting up of medical university and more budgetary allocation on health alongwith the replies furnished by the Ministry of Health and Family Welfare (Department of Health) and the Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers) and the submissions made before the Committee by the representatives of these Ministries during evidence.

2.32 The Committee note from the factual comments furnished by the Ministry of Health and Family Welfare that the proposed National Health Policy and Medical and Health Education Policy aim at setting out a practical approach for raising the health status of all people of the country in a phased time-bound programme, through the universal provision of comprehensive primary health care nearest to the door-steps of the people. The Committee also note that in 1971, the Government launched the Reorientation of Medical Education Scheme with the objective of involving the medical students and faculty members in the colleges in the direct delivery of health care with a view to securing the reorientation of medical education so as to inculcate a positive bias among the faculty and students towards community health services.

2.33 The Committee further note from the submission made by the Director-General of Health Services during evidence that there is a need to inculcate in the medical students a feeling to serve in rural areas. To achieve that end, the Government have evolved a scheme under which all the medical colleges in the country are to be attached to the Primary Health Centres located in the villages. As one of the measures to make the students familiar with the rural areas, the Medical Education Review Committee have expressed the view that during internship, at least six months should be spent by the medical students in rural areas.

The Committee feel that there is an urgent need to change the emphasis in our national health policy from urban to rural areas. The Committee appreciate the steps taken by the Government to provide medical services to the rural population and to inculcate feeling among medical students to serve in rural areas. The Committee recommend that the rules may be modified in such a way that the doctors serve the rural areas for certain period before they are awarded their degrees.

In this connection, the Committee also note that in order to provide medical facilities in rural areas, the Government are considering incentives and facilities such as rent free accommodation, rural area allowance, preference in admission to the Post-graduate courses, higher age limit retirement benefit etc. to the doctors who served in rural areas. The Committee appreciate such incentives and recommend that they should be introduced without delay.

2.34 The Committee also appreciate that as a part of 'Health for All by 2000 AD', the Government aim to build up a structure in the villages by setting up one sub-centre for every 5,000 rural population in general and 3,000 in tribal, hilly and backward areas for this purpose, they have trained over 4 lakhs 'dais' to provide one 'dai' in every village. Further, under the Health Guide Scheme, Government's target is to have one Health Guide in every village or on an average, for every 1,000 of population.

However, the Committee recommend that in order to provide medical facilities to rural population nearest to their door-steps in remote villages at the earliest, the Government would give higher priority in their phased time-bound programme to provide for mobile dispensaries for villages in remote areas on certain week days

2.35 As regards role of public sector in drug manufacturing and formulation, the Committee note that so far as bulk drugs are concerned, the share of public sector units had increased from 24.5 percent in 1978-79 to 26.25 percent in 1980-81 and their share in formulations had also gone up from 5.7 percent in 1978-79 to 7.2 percent in 1980-81. The Committee feel that in order to minimise the hold of multinationals on the drug industry and to make the indigenous drug industry self-reliant, there is an urgent need to increase the share of public sector units in drug manufacturing and their formulations. The Committee recommend that concerted efforts-ought to be made in this direction.

2.36. The Committee note from the evidence given by the representative of the Department of Chemicals that as a result of Drugs (Prices Control) Order, 1979, the prices of certain formulations were frozen where they were when the order came into force and that the Government were following a system where prices of drugs were kept at reasonable level and to see that the Companies did not make undue profit out of it. The Committee, however, feel that the prices of lifesaving drugs and commonly used medicines are still quite high and there is a need for further reducing prices of drugs.

2.37. As regards research and development in the public sector, the Committee are informed that Government are really interested in the development of drug technology which should be produced at a minimum cost and conform to pharmacopoeial standards. It was, however, admitted that there was no coordination between the Public Sector and the Indian Private Sector in this sphere. In order to develop the drug technology in the country properly and to make it free from the clutches of multi-nationals who are reaping enormous profits on this account, the Committee consider that the coordination between the public sector and private sector companies and their working together is of paramount importance. The Committee therefore, recommend that Government will consider this problem seriously and take earnest steps in this regard.

III

REPRESENTATION REGARDING SUPPLY POLICY OF LEVY CEMENT

3.1 Shri R. N. Rakesh, M.P., forwarded a representation signed by Shri D. S. Jain and others regarding adverse effect of the new pricing and distribution of cement policy on house-building activities.

A. Petitioners' Grievances and Prayer

3.2 In their representation, the petitioners stated as follows :—

- (1) "Whereas the Minister of Finance declared in his budget speech on 27-2-82 that the Government wanted to provide stimulus for construction of houses, the new cement pricing policy announced subsequently is having just the opposite effect, for it has resulted in a big set-back to house building activity at a time when the country is facing a great shortage of houses.
- (2) A large number of middle and salaried class people have suffered as a result of the new cement pricing policy. They had acquired plots measuring upto about 250 sq. yards as members of cooperative house building societies or otherwise by saving money over a long period of time so that they may have a roof over their head when they reach the age of retirement. Since the prices of inputs like steel, timber, bricks, electrical fittings etc. had become very high during the last few years, they were already finding the going hard. Yet, the fear of being on the streets in their old age impelled them to put together all their resources such as savings of their life-time, loans; selling of ornaments etc. so as to construct a living place for themselves.
- (3) Many of these people were half way through the construction, many had just started, while many others were preparing plans to start construction. All these people had prepared estimates on the assumption that cement would be available

to them at the controlled price. But the new cement pricing policy has come as a bolt from the blue as it has sent all their plans out of gear since they would now have to pay much more price of cement in the open market which will increase their cost upto Rs. 15,000/-. Their already tight budgets have been completely upset by this unexpected development and they are in a shocked state. Those who were half way through the construction find it difficult to complete it, while those who had just started or were soon to start are sitting back, wondering what to do because all the resources mobilised by them fall short, the cost having suddenly risen due to the new cement price policy. The net result of the new pricing policy of cement is having a crippling effect on the house building activity all over the country, particularly the metropolitan cities.

- (4) It is primarily the middle and salaried class which stands to suffer from this policy because the price factor is of no consequence to the moneyed people. The State policy should be such as to protect the lesser people who have honestly paid their taxes at the source and have lived their life a hard way. In fact, that is the avowed policy of our Government also. But the new cement pricing policy goes against that cannon and it would cause great misery to these people.
- (5) Your humble petitioners, therefore, submit that to protect the interest of the middle and the salaried class and not to allow the house building activity to be crippled, the Hon'ble Committee may kindly consider the following suggestions and ask the Government to modify their policy in such a manner that the middle class and salaried people do not suffer and the house-building activity may not get a setback :-
- (i) The new cement pricing policy envisages supply of cement at controlled rate for dwelling units having covered area upto 80 sq.meters on a plot measuring not more than 160 sq. yards. In view of the fact that it will cause hardships to middle class people, the supply of cement at controlled rate should be made for construction of dwelling units having covered area upto 100

sq. metres on a plot measuring not more than 200 sq. yards.

Or

- (ii) The new cement supply policy should be so modified that any plot-holder should be entitled to get cement at controlled rate for a covered area upto 80 sq. metres, irrespective of the size of his plot. If he wants to cover more than 80 sq. metres, he may purchase his requirement from the open market. This would be very similar to the sugar pricing policy whereunder every consumer get a minimum of his requirement of sugar at controlled price and has to purchase the rest from the open market."

*B. Comments of the Ministry of Industry
(Department of Industrial Development)*

3.3 The representation was referred to the Ministry of Industry (Department of Industrial Development) for furnishing their factual comments thereon for consideration by the Committee on Petitions. In their factual note dated 8 October, 1982, the Ministry of Industry (Department of Industrial Development) have stated as follows :—

"The following suggestions have been made by Shri D. S. Jain and others of Mohan Nagar, Ghaziabad to the Government to modify the policy with regard to allotment of levy cement so that middle-class and salaried people do not suffer and the house-building activity may not get a set-back :

- (i) 'The new cement pricing policy envisages supply of cement at controlled rate for dwelling units having covered area upto 80 sq.mtr. on a plot measuring not more than 160 sq. yds. In view of the fact that it will cause hardships to middle class people, the supply of cement at controlled rate should be made for construction of dwelling units having covered area upto 100 sq.metres on a plot measuring not more than 200 sq.yds.
- (ii) The new cement supply policy should be so modified that any plot-holder should be entitled to get cement at

controlled rate for a covered area upto 80 sq.metres, irrespective of the size of his plot. If he wants to cover more than 80 sq. metres, he may purchase his requirement from the open market. This would be very similar to the sugar pricing policy where under every consumer gets a minimum of his requirement of sugar at controlled price and has to purchase the rest from the open market.”

With regard to above suggestions, it is pointed out that the policy announced *vide* Press Note dated the 27-2-82 which *inter alia* stipulated that for levy cement allocation for construction of dwelling unit, the plinth area should be only upto 80 sq.mtrs. has since been revised. Certain relaxations were accordingly announced on the Floor of the Lok Sabha on 21st April, 1982 and a Press Note to this effect has also been issued on 21st April, 1982. A copy of the Press Note is enclosed. (See Appendix V).

In the case of dwelling units, the following relaxations have been made *vide* Press Note dated the 21st April, 1982 referred to above and are reproduced below :—

- (i) For urban agglomeration/towns/cities having a population of one Lakh and above as per 1981 Census, the limit in regard to plinth area would be upto 100 sq. mtrs.
- (ii) For urban agglomeration/towns/rural areas having a population of less than one Lakh as per 1981 Census, the limit in regard to plinth area would be upto 120 sq. mtrs.
- (iii) Subject to the above limits in the case of individual flats, levy cement would also be made available to Co-operative Group Housing Societies but not to commercial builders or multi-storied residential complexes.

If the plinth area of the dwelling unit is in excess of the limits prescribed above, such units are not entitled to draw levy cement.”

C. Observation of the Committee

3.4 The Committee note from the factual comments furnished by the Ministry of Industry (Department of Industrial Development) that according to the policy announced *vide* Press Note dated 27 February,

1982, levy cement was *inter alia* available only for construction of dwelling units having a plinth area upto 80 sq.mtrs. That policy has since been revised and certain relaxations have accordingly been announced on the Floor of Lok Sabha on 21 April, 1982. Now according to the revised policy, levy cement would be made available for construction of dwelling units with a plinth area upto 100 sq. metres in urban areas having population of one lakh and above as per 1981 Census and upto 120 sq.metres in urban and rural areas having population less than one lakh as per 1981 Census.

The Committee note with satisfaction that the grievances of the petitioners stand redressed by the Government in the light of the aforesaid relaxations made in the supply policy of levy cement.

IV

REPRESENTATION REGARDING GRIEVANCES AND DEMANDS OF FISHERMEN

4.1 The Chairman, National Forum for Catamaran and Country-boat Fishermen's Rights and Marine Wealth, Delhi, submitted a representation dated 28 April, 1982 regarding grievances and demands of fishermen.

A. Petitioner's Grievances and Prayer

4.2 In his representation (See Appendix VI), the petitioner stated, *inter alia*, as follows :—

“...these communities have been suffering since the last 20 years due to the anarchic fashion in which the development has taken place in the fishing sector by the introduction of sophisticated technology. We would like to emphasize that this introduction of sophisticated technology has impoverished and is impoverishing a large number of fishermen of India in the traditional sector even though they have contributed 70% of the total produce of fish.

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Since the advent of introduction of mechanisation in the fishing sector, all benefits have gone to a sector that contributes only 30% of the total marine production. This even governmental sources agree through their various studies. Despite this millions have poured into the coffers of big trawler owners.’

4.3 He made the following demands :—

- (1) That the State Governments be directed to enact the Marine Fishing Regulation Act wherever it has not been passed. The following points should be fulfilled—

banning trawlers to fish within 20 kms; and purse-seiners within 200 Kms. from the coast;

banning trawling/purse-seining during spawning seasons of June, July and August; and

banning night fishing by trawlers/purse-seiners.

- (2) That the maritime States as well as the Central Govt. be directed to ban forthwith all eviction of traditional fishermen houses from the coastal areas located near the sea in the name of tourism, beautification and industrial development.
- (3) That the Central Government issue directives to all the Maritime States in India to ban forthwith the extraction of valuable beach sand and destruction sand dunes in the name of Mineral extraction, house building and other commercial fancies of the beach-sand extractors.
- (4) That the Central Government take stringent measures to safeguard the delicate ecology of the Indian ocean from polluting industries and polluting factors by deploying coast-guard and the enforcement agencies such as Water Pollution Control Board.
- (5) That the Central Government nationalise the deep sea fishing sector and the export of prawns and other sea food.
- (6) That the Central Government work out an effective insurance scheme to insure the lives of the fishermen and protect the loss incurred by the traditional fishermen of India due to the loss and destruction of their implements of fishing.
- (7) That the Central Government stop forthwith the allocation of funds to the mechanised sector and re-channelise the funds to the traditional non mechanised fishing sector which harbour in its fold millions of catamaran and countryboat fishermen and their families.

Specially allocate kerosene and diesel inboard and out-board engines to catamaran and country boats to enlarge their fishing activity.

- (8) That the Government should provide the basic amenities such as housing, land, education, health etc.

- (9) That the Central Government should construct Mini-cold storage throughout the coast in order to preserve the excess fish caught by the fishermen so that the fish eating public could avail of this fish at cheap rates.
- (10) That the National Forum should be represented and should be given the right to participate fully in decision-making relating to issues pertaining to the lives of the fishermen in India.
- (11) The Government should frame mesh-size regulation and enforce the same stringently.
- (12) That trawlers of less than 50' in size be banned.

B. Comments of the Ministry of Agriculture (Department of Agriculture and Cooperation)

4.4 The representation was referred to the Ministry of Agriculture (Department of Agriculture and Cooperation) for furnishing their factual comments thereon for consideration by the Committee on Petitions. The Ministry of Agriculture (Department of Agriculture and Cooperation) have furnished their demand-wise factual comments (See Appendix VII) wherein they have, *inter alia*, stated as follows :—

- “(1) *Direct all the State Governments to enact the Marine Fishing Regulation Act in all the States wherever it has not been passed*

× × × ×

Regarding enactment of legislation to regulate marine fishing, it is stated that based on the Model Bill, sent by the Central Government, State Governments of Kerala, Maharashtra, Orissa, and the Union Territory of Goa, Daman and Diu have already enacted necessary legislation. The Government of Tamil Nadu have submitted the requisite Bill for President's assent. The other State Governments are in the process of bringing suitable legislation in this regard before their legislatures. Minister of Agriculture has written to the Chief Ministers of these States to expedite enactment of the legislation.

× × × ×

...the Forum's demand to ban trawling operations upto 20 Kms. and purse seining operations upto 200 Kms. from the coast is not reasonable as the traditional fishing crafts would not be able to go beyond a few Kms. from the shore. This would result in the wastage of fishery resources which are renewable and are mostly shortlived and which can be exploited by other sectors to the economic advantage of the country. As so, the small mechanised boats have endurance mostly for a day and their operational radius could be upto 18-20 Km. only.

The spawning season of different species of fishes for all the areas of the Indian coast is not the same and is certainly not confined to the period June to August. Our fisheries is of multispecies nature, like all tropical fisheries are and unless there is scientific evidence that certain types of fishing is injurious to certain stock of fish during a particular season, it is not possible to impose a total ban on such fishing methods.

Again the question for banning of night fishing by trawlers/purse seiners cannot be imposed for all the areas. Most of the fishes are diurnal in their habits, some surfacing during the night and some surfacing during the day.

However, depending on the characteristics of the fisheries of the States, the State Governments have option to impose restrictions on such fishing activities as are harmful to the resources under their respective legislations.

(2) *To ban forthwith all eviction of traditional fishermen houses from the coastal areas located near the sea*

It depends on the facts and circumstances of each case. Sometime some displacement becomes unavoidable when an area is being taken up for general development. Sometimes eviction of fishermen colonies from the low lying areas is necessary to protect them from tidal waves and other natural havoc. However, it is believed that on all such occasions the concerned authorities must be providing alternate sites/arrangements for the settlement of fishermen families. States like Tamil Nadu have got major schemes for construction of multi-storeyed fishermen colonies. Government of Kerala has a separate welfare corporation to help fishermen community in construction of their own houses. If any specific case of negligence or omission is brought to

the notice of Central Government, the matter will be taken up with the concerned State Government.

- (3) *To ban forthwith the extraction of valuable beach sand and destruction of sand dunes in the name mineral extraction, house buildings and other commercial fancies of the beaches and extractors.*

This falls under the jurisdiction of State Laws. However, the Central Government shall persuade the States to protect the beaches, if specific instances are brought to the notice of this Ministry.

- (4) *To safeguard the delicate ecology of the Indian Ocean from polluting industries and polluting factors.*

Various States have formed the Water (Prevention and Control of Pollution) Boards, who are taking suitable actions to monitor pollution due to industrial effluents etc.

- (5) *To nationalise deep sea fishing sector and export of prawns and other sea food.*

The demand is not reasonable, and cannot be met. The general attitude of the Government is that the deep sea fishing activity should be left open for all, corporate, co-operatives and private sectors for rapid development. There is yet no compelling reason for its nationalisation. This applies to the export of marine products also.

- (6) *Insurance schemes for fishermen*

According to the Ministry of Finance, there is no compulsory insurance scheme to cover fishermen specifically. However, any one including a fishermen can obtain an insurance under a Janata personal accident policy.

- (7) *To stop allocation of funds to mechanised sector and re-channelise the same to traditional non-mechanised sector.*

The Government's principal objective is to increase fish production from all the three sectors, namely, traditional non-mechanised, small mechanised and larger mechanised (deep sea) sectors. We cannot afford to neglect any one sector at the expense of others if we have to ensure proper exploitation and utilisation of the entire resource base.

To provide out-board engines to traditional fishermen.

The demand for supply of Kerosene driven out-board motors is a genuine demand in so far as areas such as North-West coast, where highly valuable fish like Pomfret, ghol, dara, etc. are available. In other areas it would be uneconomical involving considerable expenditure on maintenance and running of the engines which would not be commensurate with the returns. A good number of out-board motors have been allowed to be imported by the States of Gujarat, Tamil Nadu and Andhra Pradesh and some private firms have also received letters of intent for indigenous manufacture of small out-board engines.

(8) To provide amenities such as housing, land, education.

The above amenities are already being provided by various State Governments through their plan schemes.

(9) To construct mini cold storages throughout the coast.

There are already a large number of cold storages and ice plants along our coastline. Even as it is, they are grossly underutilised at present. Facilities are also provided at fish landing centres for supply of ice to preserve the quality of fish catch. The need for cold storages may be confined only to certain centres which are traditionally known to witness bumper catches occasionally. It would not be necessary nor economical to have cold storages throughout the coast line.

(10) The forum should be represented in decision-making bodies of Government.

There are non-official members representing various categories of fishermen in the Central Board of Fisheries which is presided over by the Union Minister for Agriculture. This is the apex body for discussing various problems and for recommending policies and programmes for fishery development.

(11) To regulate mesh-size and enforce them.

This would be taken care of by the State Governments under their respective legislation to regulate marine fishing. The Government of India have also constituted a Committee on conservation of shrimps and other resources in this regard, whose report is awaited.

In this context, it is pertinent to point out that on the basis of recommendations of a Committee appointed by the Indian Council of Agricultural Research; the Government of Kerala introduced mesh regulation for fishing nets used in the back waters as a conservation measure for shrimps. However, this regulation could not be effectively implemented mainly because of non-cooperation from the traditional sector who refused to comply with the regulation.

(12) *To ban trawlers of less than 50' in size*

The reasons for the demand to ban trawlers of less than 50' in size are not known. There are about 1,000 trawlers less than 58' in length, representing about 70% of the total fleet of small mechanised boats. Banning of such a large fleet of vessels would undermine the developmental efforts taken by the Government for fisheries. Optimum number of small mechanised boats is necessary to fully exploit the potential of the inshore waters and any ban on their operation would be derogatory and would result in under-exploitation."

C. Evidence before the Committee

4.5 The Chairman, National Fishermen's Forum, in his evidence before the Committee on 23 January, 1984; stated that National Fishermen's Forum comprised of 13 different Unions from different States with a total membership of about 45,000. Some of the Unions were recognised in their respective States, though the Forum itself was not a registered body. The constitution of the Forum had been drawn up which would be implemented by November, 1984. Each participating Union would have the proposed representation of 10 members in the general body of the Forum.

4.6 Asked about the grievances and demands of the Forum, the Chairman, National Fishermen's Forum stated *inter alia* that the Fishing Regulation Act which had been passed by only a few States viz. Kerala, Goa and Tamil Nadu, should be passed by all the other States. That Act would provide for restrictions regarding trawlers, mesh size of the net banning of night fishing by trawlers and also during the spawning season.

4.7 It was pointed out to the petitioner that the Government had not found it possible to accept their demand for nationalisation of deep sea fishing sector and the export of prawns and other sea foods as they

felt that the deep sea fishing activity should be kept open for all. Asked to comment, the Chairman stated that if it was left in the hands of the private individuals, the sea and inland waters would be exploited to an extent which would lead to depletion of fish, which in turn would affect the future export. Besides, that would affect about 65 lakhs fishermen.

4.8 The Committee desired to know the number of cold storages along the coast line. The Chairman of the Forum stated that he knew about those functioning in Kerala. They were 16 in number with 5 to 10 tonne capacity each, though the exact operating capacity was not known to him.

4.9 Asked about the Cold Storages owned by the Fishermen's Cooperatives, the Chairman of the Forum stated that two such units were functioning in the cooperative sector.

4.10 The Chairman of the Forum expressed his ignorance about the non-official members of the various categories of fishermen in the Central Institute of Fisheries which was presided over by the Minister of Agriculture and which was the apex body for discussing the programmes for fisheries development, except the name of one Mr. Lawrence who belonged to a union not affiliated to the Forum.

4.11 When asked, the Chairman of the Forum showed his lack of knowledge about certain regulations introduced by the Kerala Government regarding fishing industry, which could not be implemented effectively mainly because of non-cooperation from the traditional sector which refused to comply with the requirements. He, however, pointed out that there was no infra-structure created to implement these regulations.

D. Observation of the Committee

4.12 The Committee note the position stated by the Ministry of Agriculture (Department of Agriculture and Cooperation) in their factual comments on the various demands made in the representation.

4.13 In regard to the demand for enactment of legislation to regulate marine fishing, the Ministry have stated that based on the Model Bill sent by the Central Government, State Governments of Kerala, Maharashtra, Orissa and the Union Territory of Goa, Daman and Diu have already enacted necessary legislation. The Government of Tamil

Nadu have submitted the requisite Bill for President's assent. The other State Governments are in the process of bringing suitable legislation in this regard before their legislatures. The Minister of Agriculture has written to the Chief Ministers of these States to expedite enactment of the legislation.

The Committee trust that the Government will keep a close watch and continue to pursue the matter with the remaining maritime State Governments for expeditious enactment of legislation based on the Model Bill regulating marine fishing.

4.14 As regards Formu's demand for banning trawling operations upto 20 Kms. and purse seining operations upto 200 Kms. from the coast, the Committee note from the reply of the Ministry stating, *int r alia*, that the traditional fishing crafts would not be able to go beyond a few Kms. from the shore. This would result in the wastage of fishery resources which are renewable and are mostly shortlived and which can be exploited by other sectors to the economic advantage of the country. Also the small mechanised boats have endurance mostly for a day and their operational radius could be upto 18-30 Kms. only.

Further, the Government's principal objective is to increase fishing production from all the three sectors, namely, traditional non-mechanised, small mechanised and larger mechanised (deep sea) sectors and no sector can be neglected at the expense of others in order to ensure proper exploitation and utilization of the entire resource base. The Committee appreciate this multi-sectoral development of fishing industry by the Government.

4.15 The Committee also note that Government are aware of the need for provision of out-board engines to traditional fishermen, especially in the North-West Coast where highlyvaluable fish like pomfret, ghol, dara, etc are available. In order to meet their requirements, a good number of out-board motors have been allowed to be imported by the States of Gujarat, Tamil Nadu and Andhra Pradesh and some private firm's have also received letters of intent for indigenous manufacture of small out-board engines. However, the Committee hope that Government would introduce suitable scheme for availability of adequate funds for purchase of out-board engines and other equipments so that traditional fishermen get the benefit of modern technology to increase their production.

The Committee also trust that it would be the endeavour of Government to see that the interests of the traditional fishermen are duly safeguarded.

**REPRESENTATION FROM SMALL SCALE STAINLESS STEEL
MELTERS ASSOCIATION, JAGADHRI, REGARDING
EXEMPTION OF CUSTOM DUTY ON IMPORT
OF SCRAP**

5.1 The Secretary, Small Scale Stainless Steel Melters Association, Jagadhri, submitted a representation dated 20 December, 1982, regarding exemption of custom duty on import of scrap.

A. Petitioner's Grievances and Prayer

5.2 In his representation, the petitioner stated as follows :

"Ours is an Association of Young Entrepreneurs engaged in the melting of Imported S.S. Scrap (through M.S.T.C.) for the manufacture of Stainless Steel Flats which is an Import substitution product, providing employment to large number of workers and saving much needed Foreign Exchange.

We have been adversely hitted by the discriminatory Policy of the Government resulting in complete ruination of our unit unless Government take immediate action to remove discrimination and injustice done to us.

- (2) Till 28.2.1982 there was an exemption in Custom Duty on S.S. Scrap imported through M.S.T.C. meant to be used in Electric Arc Furnace irrespective of the capacities of the such Furnaces.
- (3) On 28.2.1982 this exemption was withdrawn.
- (4) After which units under Small Sector started representing to the Government that unless exemption of custom duty is allowed on imported scrap these units could not be viable. On 2.11.1982 Finance Ministry issued a Notification enclosed allowing exemption of Custom Duty, unfortunately creating unhealthy discrimination amongst similar S.S.I. Units. Operation

of Clause (b) of the Notification meant that one who have furnace of capacities more than 500 Kgs. though entirely with in small scale sector should pay Custom Duty @ 60% *ad valorem* which comes to Rs. 6/- per kg. against c.i.f. cost of Rs. 10/- per Kg. while the others having 500 Kgs. furnace would pay no duty. Hence the imported S.S. Scrap will cost them chaving 500 Kg. furnace at Rs. 10/- per Kg. where as to us having above 500 Kgs. furnace) the same will cost Rs. 16/- per Kg. The Margin in manufacture of S.S. Flat is 500 Paise per Kg. and we stand no where. The discrimination created by this Notification of 2-11-82 have the following effects :-

- (a) Scrap which were imported through M.S.T.C. by one of our unit in our Association about 200 M.T. could not be lifted from the port because additional burden of Custom Duty *viz.* Rs. 12 Lacs meant the closure/Auction of the unit.
 - (b) About 2500 M.T. scrap imported by about 20 S.S.I. Units remained unlifted at port from 28.2.82. But were immediately lifted after issue of discriminatory Public Notice No. 236/82 dated 2-11-82 allowing exemption from payment of Duty.
 - (c) This discriminated S.S.I. Unit M/s. Kumar Steels, Jagadhari owned by Un-employed Graduate Engineer, located in Rural Area, Financed by Scheduled Bank is lying at the port, Foreign Exchange used on it, is blocked, interest on the investment is accumulating, demurrages and container charges have accumulated to Rs. 5 Lacs, and further increasing Rs. 2 Lacs per month, as it is totally un-economical to lift the material with paying duty.
- (5) Our Association has been representing to Government since 15.11.82 against impending, unjust, discriminatory Notification of 2.11.82. We always represented that in the interest and development of this Import substitution Industry the exemption should be given to whole Small Scale Sector without any discrimination, irrespective of capacity of the furnace. We understand that now after about 1½ months another Notification is issued on 17-12-82, withdrawing the whole notice of 2-11-82, instead of withdrawing the unjust discriminatory clause

(b) and as such our difficulty remain as it is and we do not get any relief.

- (6) The effect of this latest new Notification of 17-12-82, is that about 200 M.T. Scrap imported by our one unit cannot be lifted without paying Duty (Rs. 12 Lacs) while the other similar units taking the benefit of discriminatory Notification of 2-11-82 have already lifted the scrap during the 1½ month period without paying any Custom Duty. The issue of this Notification thus only participate the discrimination. We fail to understand as to how the units in Small Scale which only 1½ month earlier were considered in importing the scrap without Custom Duty, are now considered to paying the Custom Duty.

In the interest of Justice, development of this import substitution, Industry and removal of discrimination, and employment to Graduate Engineers and weaker section of society, we should also be allowed to clear without paying any Duty, the scrap imported by us upto 17-12-82, when the Notification of 2-11-82 was revoked, so that we may be at par with other units which have already lifted 2500 M.T. material during 2-11-82 to 17-12-82.

We hope keeping in view the above stated facts, your honour will intervene in the matter, before it is too late and see we are not made target of unjust discrimination and ADHOC EXEMPTION ORDERS may be issued to allow us to lift our long lying material without paying Custom Duty like others."

B. Comments of the Ministry of Finance (Department of Revenue)

5.3 The representation was referred to the Ministry of Finance (Department of Revenue) for furnishing their factual comments thereon for consideration by the Committee. In their factual notes dated 15 January and 21 February, 1983, the Ministry of Finance (Department of Revenue) have stated as follows :-

"Small Scale Stainless Steel Melters Association in their letter dated 20-12-82 represented for custom duty exemption on stainless steel melting scrap. Stainless Steel Scrap, on import, is classifiable under Heading No. 73.03/05 of the Customs Tariff Act,

- 1975 for which the rates of customs duty applicable are 60% *ad valorem* (basic)+30% *ad valorem* (Auxiliary)+Rs. 330 per MT+10% special Excise (Countervailing duty). However, stainless steel melting scrap is exempted from auxiliary duty in excess of 5% *ad valorem* and from the whole of countervailing duty by Notification Nos. 270-Customs dated 8-12-82 and 2-Customs dated 1-1-1979.
- (2) Prior to 28-2-1982 melting scrap of iron or steel for use in electric or furnace was exempt from the whole of basic duty of customs leviable thereon, *vide* Notification No. 151-Customs dated 15-7-77. Iron and Steel Scrap for use other than in electric arc furnaces was also exempt from basic customs duty in excess of 30% *ad valorem*. In the Budget 1982-83, melting scrap of stainless steel/heat resisting steel has been excluded from the purview of the aforesaid Notification No. 151 Customs dated 15-7-1977 and the statutory rate under Heading No. 73.03/05 was raised from 40% to 60% *ad valorem*. Thus, with effect from 28-2-1982 stainless steel melting scrap is subject to a basic duty of 60% *ad valorem*.
- (3) Subsequently representations were received from All India Steel Melters Association for exemption from customs duty on stainless steel melting scrap stating that it is not economical to manufacture stainless steel flats out of imported stainless steel scrap on payment of 60% customs duty. The matter was examined in consultation with the Ministry of Steel and the Development Commissioner (Small Scale Industries). DC (SSI) had recommended the case for full exemption from basic customs duty only for small scale units using induction furnaces of a capacity not exceeding 500 Kgs. on the ground that small scale units of this type are engaged in manufacturing special type of steel and their high cost of manufacture justify duty exemption. Cost data duly verified was also forwarded by DC (SSI). Ministry of Steel and Mines have also recommended their case. Ministry of Steel and Mines have also stated that the exemption should be given to all actual users. However, since verified data was not available in respect of actual users other than users of induction furnaces of capacity 500 Kgs. and below it was decided to grant exemption to SSI units recommended to DC (SSI) and to consider the case of others on

receipt of verified data. Accordingly customs duty exemption was granted on stainless steel melting scrap to small scale units using induction furnaces not exceeding 500 Kgs. by issue of notification No. 236-Customs dated 2-11-1982.

- (4) Subsequently, the Ministry of Steel pointed out that customs duty exemption, on Stainless steel melting scrap should be extended to both arc furnace units and induction furnace units irrespective of furnace capacity since limiting it to a section of the industry would result in distortion in the market and lead black-marketeering. Representations were also received from trade against restricting the customs duty exemption to induction furnaces of 500 Kgs. capacity and below. It was suggested that the exemption may be extended to all sectors of the industry or may be totally withdrawn. It was also represented that there is recession in Europe in respect of stainless steel scrap and the price has come down considerably.
- (5) The Ministry of Steel reported that the cost of production of stainless steel from stainless steel melting scrap is more or less the same for both induction furnaces and arc furnace irrespective of their capacity. The matter was therefore examined by this Department afresh. Since the international prices of stainless steel scrap has considerably come down due to the recession and by limiting the exemption to a particular sector of the industry distortions were created in the sale price, it was felt that there is no justification for continuation of customs duty exemption on stainless steel scrap. It was, therefore, decided to withdraw the customs duty exemption under Notification No. 236-Customs dated 2-11-82. Notification No. 279-Customs dated 17-12-82 was issued accordingly.

“With effect from 2-11-1982 to 16-12-1982 melting scrap of stainless steel, when imported for use in an electric induction furnace or furnaces of aggregate capacity not exceeding 500 kg. in a small scale industrial unit, was exempt from the whole of basic customs duty leviable thereon in terms of Notification No. 236-Customs dated 2-11-1982. This Notification was rescinded by issue of Notification No. 279-Customs dated 17-12-1982. The importers who could satisfy the conditions stipulated in Notifi-

- cation No. 236-Customs dated 2-11-1982 were only eligible for duty exemption on melting scrap of stainless steel during 2-11-1982 to 15-12-1982.

The relevant date for determining the rate of customs duty is governed by the provisions of section 15(1) of the Customs Act, 1962, which is reproduced below :-

'15(1) The rate of duty, rate of exchange and tariff valuation, if any, applicable to any imported goods, shall be the rate and valuation in force :-

- (a) in the case of goods entered for home consumption under section 46, on the date on which a bill of entry in respect of such goods is presented under that section ;
- (b) in the case of goods cleared from a ware-house-section 68, on the date on which the goods actually removed from the ware-house ;
- (c) in case of any other goods, on the date of payment of duty :

Provided that if a bill of entry has been presented before the date of entry inwards of the vessel by which the goods are imported, the bill of entry shall be deemed to have been presented on the date of such entry inwards.'

In view of above the concession under the notification No. 236/82-Customs dated 2-11-82 would be available in only those cases where the bill of entry for home consumption under section 46 of the Customs Act was filed on or after 2-11-82 but prior to 17-12-82 or the bonded scraps was cleared under section 68 *ibid* from a bonded warehouse during that period.'

C. Observation of the Committee

5.4 The Committee note from the factual comments furnished by the Ministry of Finance (Department of Revenue) that from 2.11.1982 to 16.12 1982 melting scrap of stainless steel, when imported for use in an electric induction furnace or furnaces of aggregate capacity not exceeding 500 kg. in a small scale industrial unit, was exempt from the whole of basic customs duty leviable thereon in terms of Notification No. 236-

Customs dated 2.11.1982. That Notification was rescinded by issue of Notification No. 279-Customs dated 17.12.1982. The importers who could satisfy the conditions stipulated in Notification No. 236-Customs dated 2.11.1982 were only eligible for duty exemption on melting scrap of stainless steel during 2.11.1982 to 16.12.1982.

The Committee further note that in view of the provisions of section 15 (1) of the Customs Act, 1962, the concession under the Notification No. 236/82-Customs dated 2.11-1982 would be available in only those cases where the bill of entry for home consumption under section 46 of the Customs Act was filed on or after 2.11.1982 but prior to 17.12.1982 or the bonded scrap was cleared under section 68 *ibid* from a bonded warehouse during that period.

5.5 The Committee feel that in view of the statutory provisions, they may not intervene in this case. However, the Committee feel that in order to obviate any hardship in future while issuing/withdrawing exemption notifications under the Customs Act, Government would ensure that there is no discrimination between different units of a particular industry as has happened in the present case.

IV

REPRESENTATION REGARDING BAN ON CULTIVATION, PURCHASE AND SALE OF KESARI DAL

6.1 Shri R.K. Sher, Srinagar, submitted a representation seeking ban on cultivation, purchase and sale of kesari dal in Madhya Pradesh.

A. Petitioner's Grievances and Prayer

6.2 In his representation dated 5 October, 1982, the petitioner has stated that the crippling effect of kesari dal is more disastrous than the consumption of poisonous hooch. While the former cripples a person and makes him invalid for his whole life, the latter causes his death instantaneously, which relieves the person of the worries of this world.

6.3 Shri Sher has also stated that the U.P. Government have banned the cultivation, purchase and the sale of kesari dal within its boundaries. However, the Government of Madhya Pradesh are avoiding action on the plea that it would affect the economy of a sizeable section of poor people.

6.4 The petitioner has demanded ban on cultivation, purchase and sale of kesari dal in Madhya Pradesh.

B. Comments of the Ministries of Health and Family Welfare and Agriculture

6.5 The representation was referred to the Ministries of Health and Family Welfare and Agriculture for furnishing their factual comments thereon for consideration by the Committee on Petitions. In their factual notes dated 19 January, 1983, they have stated as follows :-

Ministry of Health and Family Welfare (Department of Health)
Note dt. 17 February. 1913

“Lathyrism is a nervous disease that cripples man. It generally affects the youth of the community, especially young men between the ages of 15 and 45. The disease does not kill but is incurable and makes

the victims cripple for life. The disease is widespread in the districts of the Rewa and Satna Madhya Pradesh though outbreaks have also been reported from several pockets in Eastern Madhya Pradesh and Bengal, Bihar and Punjab.

The disease is caused by eating large amounts of the pulse *Lathyrus Sativus* (Kesari Dal). This pulse is extensively grown in the States of Madhya Pradesh, Eastern Part of Uttar Pradesh, North Bihar and some parts of Orissa. The pulse grows wild on the edge of the fields. It is cultivated mainly because it is a handy plant, little affected by drought and pests and gives a good yield with minimum labour. It is regarded as a life saving crop during periods of famine and scarcity. It is grown as a mixed crop along with wheat, barley or bengal-gram so that in case of drought an alternative crop is available, In the areas of Madhya Pradesh where it is extensively grown, chapaties are prepared from its flour and eaten along with kesari dal. Hence it forms a staple diet of the inhabitants of these districts.

Toxicity :

Lathyrism is a neurological disease characterised by crippling paralysis. The disease is caused due to excessive consumption of kesari dal for prolonged periods. The disease may set in many ways. Usually a few days prior to the onset of paralysis the individual experiences a sudden agonising pain in the calf-muscle at night. This pain is accompanied by a spasmodic contraction of the calf-muscles. A week or two later some of the individuals develop the disease while some others may not and remain in the latent stage. There is a slight bending of the knees and difficulty in running or walking downhill. Ultimately in a few months' time the patient develops the full fledged conditions. In the final stage the patient is unable to walk upright, ultimately the legs give way at the knee joints and the patient is reduced to crawling, taking his weight on his hands.

The studies at National Institute of Nutrition have shown that the neurotoxin is water-soluble and hence a method similar to para-boiling has been developed. The whole pulse with the husk is seeped in hot water for a couple of hours. The excess water is thrown away and the pulse is washed with fresh water for 3-4 times. It is dried and is ready for consumption.

Legal position :

The Prevention of Food Adulteration Rules prohibit the use of Kesari Dal for human consumption from the date to be notified by the State Governments. All the State Governments except Madhya Pradesh, Bihar and West Bengal have prohibited the use of this Dal for human consumption. The Government of Madhya Pradesh where this pulse is extensively grown, was requested to prohibit its use for human consumption but the same could not be implemented earlier by the State Government on the ground that there is no alternative cheap crop which can replace the present one. However, in its latest intimation of November, 1980, the Food and Drug Controller, Madhya Pradesh has informed that the sale of Kesari Dal may be prohibited throughout the country.

Action taken :

A meeting was held in the Ministry of Agriculture in March, 1978 to discuss the problem of Lathyrism vis-a-vis cultivation of Kesari Dal. The Committee after discussion suggested as follows :—

1. The varieties with low neurotoxin content be evolved by Indian Council of Agricultural Research and be popularised in areas where it is used as a staple food.
2. The seeds of varieties with low neurotoxin content may be subsidised in the Central Scheme of development of pulses.
3. The research in evolving low neurotoxin content be intensified and the safe limit of 0.2 per cent neurotoxin be prescribed.

The progress in the development of the low neurotoxin content variety is being ascertained from the Indian Council of Agricultural Research. However, the matter was taken up with the Food Corporation of India sometimes back to consider the detoxification of Kesari Dal on commercial basis by utilising the idle capacity of rice mills. It was proposed that Food Corporation of India may take up the whole crop of Kesari Dal in these two districts of Rewa and Satna and after detoxifying and retesting to ensure that neurotoxin content is below the safe limit, it may be sold for human consumption. The Food Corporation of India, however, showed its inability to take it commercially. Therefore, the only alternative is to popularise the use of low neurotoxin variety of Dal and till then the users may be advised to boil it before use

or detoxification may be taken up by a Government agency on commercial level.

The ban on cultivation of Kesari Dal comes within the purview of Ministry of Agriculture. The Health Minister has, therefore, addressed a letter to the Agriculture Minister. The Ministry of Agriculture informed that it will not be possible to discontinue its cultivation through legislation, especially in the current context when the pulses are in short supply. A meeting was held in Planning Commission on 8th June, 1982 to discuss the health hazards arising out of consumption of Kesari Dal and related economic aspects. The Planning Commission is taking steps to collect the data from the concerned State Governments and other agencies. The Ministry of Agriculture and Planning Commission may also please be consulted in the matter by Lok Sabha Secretariat.

Ministry of Agriculture (Department of Agriculture and Cooperation)

Note dt. 19 January, 1983.

The matter regarding ban on cultivation and consumption of kesari dal has been engaging the attention of the Government for quite some time. A Technical Committee under the chairmanship of the Executive Director (Nutrition), Department of Food, Ministry of Agriculture considered all aspects in March, 1978. The representatives of ICAR, Central Food Technology Research Institute, Ministry of Health & Family Welfare and Department of Agriculture and Cooperation participated in the discussions. The salient features of discussions are as follows :--

- (i) It was pointed out in the meeting that a simple method by which the toxin contents of the kesari dal can be easily recovered have been evolved by the National Institute of Nutrition (formerly known as the National Research Laboratory) Hyderabad. The toxin is soluble in water and if the 'dal' is soaked in ordinary water for one night, the water drained, it can be consumed without any harmful effect.
- (ii) The ICAR have also identified a number of strains which have a very low content of this toxin principle. Out of these, Pusa-24 has the minimum toxic principle, i.e. 0.17% as against 1.85% of Rewa-2.

- (iii) This 'dal' is not grown merely for human consumption but also for fodder and cattle feed.

It is, therefore, felt that efforts should be made to reduce the toxicity of the 'dal' and introduce low-toxic varieties instead of banning its cultivation through legislation.

The question with regard to banning cultivation of Kesari dal was taken up with the four State Governments of Maharashtra, Madhya Pradesh, Bihar and West Bengal which account for the bulk of kesari dal production. In 1980-81 total production in major kesari dal producing States was estimated to be 4.67 lakh tonnes. Out of this, Bihar accounted for 2.06 lakh tonnes, Madhya Pradesh 1.89 lakh tonnes and West Bengal 1.35 tonnes, Maharashtra 14,500 tonnes and Assam 7,800 tonnes. Madhya Pradesh Government intimated that it is not possible for them to ban its cultivation. However, the State Governments of Bihar, West Bengal, Maharashtra, Assam, Orissa, including Madhya Pradesh have again been requested to consider to impose a ban on the cultivation as well as use of kesari dal. Response is awaited. However, efforts are being made to divert this area to other alternate crops. They have already identified the areas where kesari dal can be replaced by gram/linseed/safflower. But other States have not responded to the request.

Under Rule 44(A) of Prevention of Food Adulteration Act, 1955, it is provided that no person in any State shall sell or offer or expose for sale or have in his possession for purpose of sale under description or for use as an ingredient in the preparation of any article of food intended for sale, kesari gram, kesari dal and kesari dal flour and their products or their mixtures. Under this Rule, all the State Governments excepting Madhya Pradesh, Bihar and West Bengal have prohibited the sale of kesari dal. Notifications have to be issued by the State Governments. Possession of kesari dal or sale of kesari dal or its products are therefore prohibited in other States excepting Bihar, Madhya Pradesh and West Bengal.

The entire situation was again reviewed on 8th June, 1982 in a meeting under the Chairmanship of Professor M.G.K. Menon, Member, Planning Commission. This meeting was attended by Dr. C. H. Hanumantha Rao, Member, Planning Commission and representatives of different Departments of Government of India and research organisations. The meeting discussed the health hazards due to consumption of

kesari dal and the related socio-economic aspects. It was felt that the comprehensive and upto-date data referring to different aspects of kesari dal cultivation under different eco-agriculture, socio-economic conditions, social structure, toxicity, nutrition and disease outbreak and manifestation should be collected and further discussions held so as to arrive at a decision. Steps are being undertaken by the Planning Commission to collect the data from the related Government Departments, Scientists and Sociological organisations. Copy each of the report of the meeting of the Technical Committee on kesari dal held on 29-3-78 and the summary record of the meeting in the Planning Commission held on 8-6-82 is also enclosed.*

C. Observation/Recommendation of the Committee

6.6 The Committee note from the factual comments furnished by the Ministry of Health and Family Welfare and the Ministry of Agriculture stating, *inter alia*, that 'lathyrism' is a neurological disease characterised by crippling paralysis. The disease is caused due to excessive consumption of kesari dal for prolonged periods. Further a Technical Committee of the Ministry of Agriculture consisting of the representatives of Indian Council for Agricultural Research, Central Food Technology Research Institute, Ministry of Health and Family Welfare and Department of Agriculture and Cooperation, have considered all the aspects of the matter regarding ban on cultivation and consumption of kesari dal and felt that efforts should be made to reduce the toxicity of the 'dal' and introduce low toxic varieties instead of banning its cultivation through legislation. The Committee further note that under Rule 44 A) of the Prevention of Food Adulteration Act, 1955, all the State Governments excepting Madhya Pradesh, Bihar and West Bengal had prohibited the sale of kesari dal.

6.7 The Committee also note that the entire situation was again reviewed on 8 June, 1982 in a meeting held under the Chairmanship of Professor M.G. K. Menon, Member, Planning Commission. After discussion, it was felt that the comprehensive and up to date data referring different aspects of kesari dal cultivation under different eco-agriculture, socio-economic conditions, social structure, toxicity, nutrition and disease outbreak and manifestation should be collected and further discussions held so as to arrive at a decision. Steps are being undertaken by the Planning Commission to collect the data from the related Government Departments, scientists and sociological organisations.

*Not enclosed.

6.8 The Committee are not satisfied with the steps taken by the Ministry of Agriculture in banning the cultivation, purchase and sale of kerari dal in some of the States. The Committee feel that in view of the crippling and injurious effect of the consumption of kesari dal which is consumed mostly by the poor in rural areas of certain States, the Government should take immediate steps to ban its cultivation in whole of the country through legislation.

REPRESENTATION REGARDING VACATION OF PREMISES OF SAMAJ SADAN, RING ROAD, KIDWAI NAGAR, NEW DELHI

7.1 The President, Kidwai Nagar Residents' Association, New Delhi, addressed a representation dated 25 April, 1983 regarding vacation of premises of Samaj Sadan, Ring Road, Kidwai Nagar, New Delhi.

A. Petitioner's Grievances and prayer

7.2 In his representation, the petitioner stated as follows :—

"I want to bring to your kind notice the irregular and misuse which have been going on in the Samaj Sadan, Ring Road, Kidwai Nagar, New Delhi. The above Samaj Sadan is being used since 1965 to run a school unauthorisedly by some vested interests. This is being done in the name of Welfare activity for their own benefit. The school was started as a nursery school and subsequently has been converted into a nursery-cum-primary school. It is learnt that in 1978 the then Minister of State in the Ministry of Home Affairs had ordered to stop the use of Samaj Sadan for running the school. However the office bearers of the Bal School who have appointed their wives/daughters/relatives in this school have been able to stay on in the Samaj Sadan with the help of various M. Ps. from time to time with result that the residents of the area for whose benefit the Samaj Sadan was constructed have not been able to make proper use of it.

(2) These Samaj Sadans are meant for running creches, nurseries and craft classes, recreation facilities like T. V. shows, libraries, gymnasia and indoor games such as carrom, badminton, Table tennis and other sports. In view of this the ex-Home Minister Giani Zail Singh had again ordered the closure of the Bal School in April, 1982 and necessary arrangements were made with the NDMC to admit all the children in its schools in the same vicinity without holding any test. The

parents of the children studying in the school were informed that the Bal School would not be allowed to run in the Samaj Sadan from the next academic year i.e. July, 1982. But subsequently it is learnt that the office bearers of the Bal School sought the intervention of the Minister for State in the Ministry of Home Affairs and got the period extended till this academic year on the plea that the Bal School had approached the Ministry of Works and Housing for land to construct its own Building. The school is said to have been granted permission to continue in the Samaj Sadan for a further period till the end of this academic year, on humanitarian grounds so as to avoid any hardship and inconvenience to the children studying in the school. Since Education is the subject matter of the NDMC and they have agreed to absorb the students in its schools; there should therefore be no difficulty in closing the school in the Samaj Sadan as they are meant for running social and cultural activities.

I therefore humbly pray your honour on behalf of the residents of the colony to intervene in the matter and get the Samaj Sadan vacated from the Bal School so that it could be used for the purpose for which it is meant."

B. Comments of the Ministry of Home Affairs

7.3 The representation was referred to the Ministry of Home Affairs for furnishing their factual comments thereon for consideration by the Committee on Petitions. In their factual comments dated 30 June, 1983 the Ministry of Home Affairs (Department of Personnel and Administrative Reforms) have stated as follows :—

"The Kidwai Nagar Residents' Welfare Association had been unauthorisedly running a school in the premises of the Samaj Sadan. The school was started as a Nursery School in 1965 and was subsequently converted into a nursery-cum-primary school having 7 classes, Nursery, K. G. and 1st to 5th. It has presently over 600 students on its rolls with 20 teachers.

(2) The Directorate of Education, Delhi was advised by us in January, 1973 that the Association was running the school in the premises of the Samaj Sadan without the approval of the

Government and the school should not be recognised. The then Deputy Secretary (Welfare) had also made it clear to the Secretary of the Association that the Community Hall was not intended for running of schools and could be used only for the purpose as provided under the rules of the Samaj Sadans. After protracted discussions and correspondence, it was decided that to start with, the school authorities would wind up the lowest class in the school, viz., Nursery Class and no admission to it will be made from the next academic year i.e. from May, 1976. It was also agreed that the Association would explore the possibility of transferring the school to some other body e.g. N.D.M.C., M.C.D. or Delhi Administration. The Association did not care to implement any of these assurances.

(3) When this matter was placed before the then Minister of State in the Ministry of Home Affairs in March, 1978 he ordered as follows :—

“The Association should be asked to stop its ultra legal activities forthwith else we proceed legally against them.” A communication to the Association was accordingly addressed on 19-4-1978 advising it to close down the School or shift it elsewhere. It was also made clear to the Association that apart from any other legal action, the office bearers of the Association would also be liable for disciplinary action under the C. C. S. (Conduct) Rules. The annual grant-in-aid which was being given to the Association right from its recognition in 1960 was stopped from the year 1976-77. Subsequently the Association made attempts to bring political pressure on the Department to change its decision. After careful review, it was decided with the approval of Minister of State in the Ministry of Home Affairs that the decision should stand and the eviction proceedings against illegal occupation of Samaj Sadan should be initiated.

(4) Thereafter in July 1980 a meeting was held with the representatives of the Association under the Chairmanship of Shri T.V. Rangarajan, the then Joint Secretary (SW) which was attended also by the Deputy Education Adviser, N. D. M. C., the Deputy Education Adviser, N. D. M. C., informed that the N.D.M.C. was prepared to accommodate the children and not

the staff in the schools run by it in Kidwai Nagar area. The representatives of the Association also mentioned that Delhi Administration had already promised the accommodation for the school and they would vacate the Community Hall as soon as they got the promised accommodation.

(5) After careful consideration, under orders of the Minister of State it was decided that the Kidwai Nagar Residents' Association which was unauthorisedly running the school in the Samaj Sadan would vacate the premises after the academic year 1981-82. After considerable efforts the N.D.M.C. were persuaded to admit the children in their own schools without holding any admission test. The warning letters to parents of the children, studying in the school that the Association would not be allowed to run the school from the next academic year and they should get the children admitted in any of the schools of the N.D.M.C. in that area for which necessary arrangements had been made, were issued as early as on 20th September, 1981.

(6) Subsequently the representatives of the Kidwai Nagar Residents Association again requested the Minister *vide* their letter dated 15th October, 1981 to allow the Association to continue to run the school. Since the decision was taken after careful consideration of the facts and merits of the case and there was nothing further to examine, it was decided that we should stick to the decision already taken. This decision was approved by the Home Minister in April, 1982.

(7) Subsequently some friction seems to have arisen in the Kidwai Nagar Residents Association. One Group is now led by Shri M.S. Negi, General Secretary using the letter head paper of the Association and the other is led by Shri S.M. Sharma who was formerly the President of the Association and is now claiming himself as the Chairman of the Bal School. While the former is now pressing very hard to get the premises vacated by the Bal School for running G.K.K. activities the latter is putting all sort of political pressure to continue to allow the Bal School to run in the premises. When it was decided to close the school in the Samaj Sadan after the academic year 1982 we received letters from Shri H.K.L. Bhagat the then M.P. addressed to Minister of

State in the Ministry of Home Affairs seeking his intervention to continue to run the Bal School in the Samaj Sadan. It was therefore decided to allow the school to run in the Samaj Sadan till 31-12-1982 under the order of the Minister. We granted on our own further extension to run the school upto the current academic year 1982-83 i.e. till 30-4-1983 on humanitarian grounds to avoid any hardship to the children reading in the school in the mid year.

(8) All arrangements were made to vacate the Samaj Sadan after 30th April, 1983. Necessary letters were issued to the Principal Bal School and the Parents/Guardians of the children to close the school in the Samaj Sadan and get all the children admitted in the N.D.M.C. schools. But again Shri S. M. Sharma the so called convener of the Bal School met the Home Minister and requested him that he was pursuing vigorously with the Delhi Administration/Ministry of Works and Housing on the question of allotment of land to the school, but till such time as the school is able to arrange alternative accommodation he may be allowed to run the school in the Samaj Sadan. The Home Minister has accordingly granted permission to run the school in the Samaj Sadan for a further period of one year."

C. Recommendation of the Committee

7.4 The Committee note from the factual comments furnished by the Ministry of Home Affairs that a school is being run unauthorisedly in the Samaj Sadan, a Government property and while the Association running the school was asked to vacate the premises, extensions are being granted to them from year to year and that the current extension to them is valid up to 30th April, 1984. The Committee feel that in view of the unauthorised activity, no more extension should be given to the Association and the premises be got vacated after the expiry of the present extension.

NEW DELHI ;
2nd April, 1984

Chaitra 13, 1906 (Saka)

K.P. TEWARI
Chairman,
Committee on Petitions.

APPENDIX I

(See para 2.2 of the Report)

[Petition No. 8 *re.* national health policy, re-orientation of medical education, employment of medical graduates, setting up of medical university and more budgetary allocation on health].

LOK SABHA

PETITION NO. 8

[Presented to Lok Sabha on 28-11-1980]

To

LOK SABHA
NEW DELHI.

The humble petition of the All India Medicos' Federation (AIMF).

Sheweth

Serious attention needs to be paid on the extremely deplorable situation prevailing in India in the field of health care. Even after 33 years of independence only about 15-20% of our population has reasonable access to health services.

More than half the deaths in rural areas take place without any medical attention in an institution or examination by a doctor.

It is unfortunate that our country remains badly disfigured due to widely prevalent disease, infirmity, under-nutrition, premature deaths extremely unhealthy and unhygienic conditions of life especially in rural areas and slums.

It is ironical that on one side more than 15,000 medical graduates are unemployed today and on the other side vast majority of our population especially in rural areas and urban slums are deprived of even minimum health care facilities.

World Health Organisation has given the slogan "Comprehensive health care to all by 2000 A.D." This should be the goal of our national health policy. Comprehensive health care includes preventive, curative and promotional medicine particularly ensuring the reduction of high incidence of communicable diseases, malnutrition, and premature deaths.

It is a matter of great shame that the big killer and debilitating diseases are pneumonia, protein-calorie malnutrition, tuberculosis, leprosy, measles, whooping cough most of which are controllable with proper preventive and immunisation measures. A large number of diseases are water-borne because there is no arrangement for clean, fresh and potable drinking water supply in large parts of our country. More than one million deaths take place in our country every year due to tuberculosis which is the highest in the world.

There is need to change the emphasis in our national health policy from curative to preventive medicine combining it with proper curative and promotional care.

No effective improvement in health care is possible without provision for adequate supply of clean water, better housing, proper sanitation, road communication, transport facilities and proper nutrition. All this is obviously possible only by radical changes in the socio-economic policies of the Government and political will to implement these policies.

But the successive Governments have ignored the problems of health care and medical education. While we need cheaper drugs, they have allowed multinational companies to dominate our drug industry and charge exorbitant prices for drugs. They have done nothing to prevent the situations when large number of people die without medical attention the doctors are unemployed in most of the States not in hundreds but in thousands.

There is need to strengthen public sector in drug industry. Indigenous drugs should be promoted through proper research and clinical trial. Drugs should be produced by using coal carbonisation byproducts and phytochemicals. Adequate supply of essential and life saving drugs should be ensure.

National health policy cannot be effectively carried out unless the present system of medical education is in tune with the new perspectives. Medical education in our country is not linked with health care requirements of a developing country. It is expensive, elitist and big hospital based.

We need more and more 'basic doctors' of course along with requisite number of specialists to meet the health needs of our society. With this perspective the curriculum, teaching pattern, method of training and system of evaluation should be reoriented. The present curriculum should be overhauled. Community medicine should be given more importance throughout the course. There should be proper integration of clinical, preclinical and para-clinical subjects. In the teaching of clinical subjects the problems of practical importance with particular relevance to Indian situation should be stressed. A study of social sciences should be introduced in medical curriculum. There should be more stress on tutorials, demonstrations, audio-visual aids and bed-side teaching.

Uniformity in the field of medical education can be guaranteed only by setting up medical university.

And accordingly your petitioners pray that the following steps may be taken by the Government :

- (1) Evolving and implementing a proper national health policy to guarantee comprehensive health care to the people.
- (2) Reorientation of medical education according to new perspectives.
- (3) Jobs should be guaranteed to all medical graduates.
- (4) Medical University should be set up to ensure uniformity in medical education.
- (5) Multinational companies in drug industry should be immediately taken over and uninterrupted supply of essential and life saving drugs should be ensured.
- (6) More facilities for hostels, laboratories, libraries and research should be provided. Increase in stipend of internes, housemen and post-graduate students. Increase in number of scholarships for under graduate students.

(7) More budgetary allocation on health.

And your petitioners as in duty bound will ever pray.

Name of petitioners	Address	Signature or Thumb impression
1. Dr. Arun Mitra	President, All India Medicos' Federation, 4/7, Asaf Ali Road, New Delhi-110002.	Sd/-
2. Smt. Usha Shrivastawa	General Secretary, All India Medicos' Federation, 4/7, Asaf Ali Road, New Delhi-110002.	Sd/-

Countersigned by : Geeta Mukherjee, M.P.
Div. No. 459.

APPENDIX II

(See para 2.5 of the Report)

[Factual comments dated 2nd March, 1982 of the Ministry of Health and Family Welfare (Department of Health) on Petition No. 8 regarding national health policy, re-orientation of medical education, employment of medical graduates, setting up of Medical University and more budgetary allocation on health]

- (1) "Evolving and implementing a proper national health policy to guarantee comprehensive health care to the people."

Comments :

The National Health Policy, the National Population Policy and the National Medical and Health Education Policy are in the process of being formulated. The drafts of these documents, as evolved by this Ministry, were discussed at length in the 7th Joint Conference of the Central Council of Health and Central Family Welfare Council held in June, 1981. These documents have also since been discussed in a meeting, specially convened for the purpose, of the Consultative Committee of the Parliament attached to the Ministry of Health & Family Welfare.

- (2) "Reorientation of medical education according to new perspectives"

Comments :

The draft documents on Health Policy and Medical and Health Education Policy are being finalised with a view to setting out a practical approach for raising the health status of all people of the country within a phased time-bound programme, through the universal provision of comprehensive primary health care, nearest to the door-steps of the people. The Government had also launched, in 1977, the Reorientation of Medical Education Scheme with the objective of involving the medical students and faculty member in the colleges in the direct delivery of health care with a view to securing the reorientation of medical education, so as to inculcate a positive bias among the faculty and students

towards community health services. Under this Centrally sponsored Scheme the Government have also allotted, free of cost, three very well fitted mobile clinics to each of the 106 colleges, for achieving the objective of upgrading the quality of health services in the rural and peripheral areas. 103 medical colleges in the country are covered under the Scheme. The implementation of the Scheme has recently been reviewed and scale of Central assistance has been stepped up from the erstwhile grant of Rs. 4.79 lakhs per college to Rs. 16.04 lakhs per college, i.e. an addition of Rs. 11.25 lakhs per college. The Government have also set up in September, 1981, a Medical Education Review Committee to undertake a thorough review and to make recommendations for the all round reform of the existing medical education system.

- (3) "Jobs should be guaranteed to all medical graduates."

Comments :

The Medical Education Review Committee, referred to in para 2 above is. *Inter alia* required to undertake an assessment and evolve realistic projections in regard to medical manpower requirements (MBBS Doctors, Specialists and Super Specialists) during the Sixth Five Year Plan beyond. Side by side, the Central Government had addressed all the State Governments to undertake an assessment of their present and future medical manpower requirements. The various efforts are directed towards securing greater harmony between demand and production of doctors, at various levels of functioning.

- (4) "Medical University should be set up to ensure uniformity in medical education."

Comments :

The need for the establishment of a Medical University shall be viewed in the light of the priorities emerging in the national policy documents, under formulation, as well as with reference to the recommendations of the Medical Education Review Committee.

- (5) "Multinational companies in drug industry should be immediately taken over and uninterrupted supply of essential and life saving drugs should be ensured."

Comments :

This concerns Ministry of Chemicals and Fertilizers.

- (6) "More facilities for hostels, laboratories, libraries and research should be provided. Increase in stipend of interns, housemen and post-graduate students. Increase in number of scholarships for under graduate students"

Comments :

The Medical Education Review Committee, is *inter alla*, reviewing the working of the Residency Scheme along with the Housemanship Programme and is expected to make recommendations regarding a uniform pattern of Post-Graduate training. Outlays for medical research have been stepped up manifolds during the VI Plan. As regards expansion of facilities scholarship etc. necessary action can be taken by the concerned State Governments, within their over all resources.

- (7) "More budgetary allocation on health."

Comments :

Within the overall availability of resources, the allocations for the Health Sectors, in the successive Five Year Plans, receive as much support as is possible.

APPENDIX III

(See para 2.5 of the Report)

[Factual comments dated 10th March, 1981 of the Ministry of Petroleum, Chemicals and Fertilizers (Department of Chemicals and Fertilizers) on Petition No. 8 regarding national health policy, re-orientation of medical education, employment of medical graduates, setting up of medical university and more budgetary allocation on health.]

ITEM NO. I

Successive Governments have allowed multinational companies to dominate our drug industry and charge Exorbitant perices.

A number of Provisions have been made in the drug policy which ensure that the activities of foreign companies subserve National interests. The details of these are contained in the drug policy statement laid on the Table of the Lok Sabha on 29.3.1978.

2. It may be mentioned that due to a number of regulatory and restrictive measures, the number of companies whose non-resident foreign equity is over 40% has come down to 26. Five more companies are also in the process of reducing their foreign equity or under compulsion from Government to reduce their foreign equity. The remaining 21 firms are producing bulk drugs involving high technology and the level of foreign equity allowed in each case will be decided under the Foreign Exchange Regulation Act, 1973 by Government. The new drug policy places a very strict limit on the new activities that foreign drug companies (i.e. those with a direct foreign equity exceeding 40%) can undertake.

3. Drug prices have been under control for some years now. Drugs (Prices Control) Order, 1979 provides for cost studies on bulk drugs and rationalisation of mark ups which are being implemented. When this is fully implemented there will be little scope for multinational or other companies to charge exorbitant prices for essential drugs and formulations under price control.*

ITEM NO. II***Need to strengthen public sector in drug industry.***

There are already four public sector drug companies viz., IDPL, HAL, SSPL and BCPW. The last one was nationalised on 15.12.1980.

2. IDPL have five production units at Rishikesh for Antibiotics, Hyderabad for Synthetic Drugs, Madras for Surgical Instruments, Muzaffarpur for Nicotinamide and other chemicals and Gurgaon for drug formulations. In addition, IDPL are implementing three joint venture units in association with State Government Corporations at Sangroor, Punjab, Lucknow, UP, and Jaipur, Rajasthan. The total investment approved so far on IDPL projects along amount to Rs. 125 crores and this is expected to result in the production of bulk drugs worth Rs. 144 crores and chemicals and of formulations worth Rs. 190 crores.

3. HAL, Pimpri are producing penicillin, Streptomycin, Ampicillin, Gentamycin and Vitamin 'C' and formulations. The total investment in the projects is Rs. 26.71 crores. HAL are also implementing three joint venture formulation units in Maharashtra (Nagpur), Karnataka (Near Bangalore) and Goa. All these projects when fully implemented will result in Rs. 33 crores of bulk drugs and about Rs. 50 crores of formulations.

4. SSPL, Calcutta is producing formulations while BCPW is producing chemicals, bulk drugs and formulations. Both have schemes of expansion.

5. According to the Report of the Working Group on Drugs and Pharmaceuticals for estimating the demand for drugs for the year 1980-85, it is expected that the share of bulk drug production by public sector will increase to Rs. 215 crores and that of formulations to Rs 330 crores by 1984-85.

6. According to the New Drug Policy, public sector in drug industry is being given a leading role in production and distributions of drugs and pharmaceuticals and it is expected that when all the schemes so far approved and those that may be taken up during the Sixth Plan are implemented, it will be in a position to play a dominant role in the drug industry. The new drug Policy reserves as many as 21 bulk drugs for the public sector.

ITEM NO. III

Indigenous drugs should be promoted through proper research and clinical trials.

In order to encourage research and development (R&D) efforts, the Drug (Prices Control) Order, 1979 provides that in case of new bulk drugs discovered in India through Indian R&D efforts which have not been produced elsewhere, there would be exemption from price control for a period of five years from the date of commencement of production of such new bulk drug.

ITEM NO. IV

Drugs should be produced by using coal carbonisation by-products and petrochemicals.

The Hathi Committee, in its report which was submitted to Government in April, 1975 made the following recommendation with regard to manufacture of drugs by using coal-carbonisation by-products :—

“The Committee noted that the recovery of chemicals from coal-tar distillation products has been undertaken at Durgapur on a fairly large scale. New units should be established for the manufacture of Bulk Drugs at Durgapur to utilise the available down stream products.”

2. After careful consideration of the recommendations of the Hathi Committee, Government took certain decisions which were incorporated in a Statement, copies of which were laid in both the Houses of Parliament in March/April, 1978. Para 90 of the Statement which reads as under is relevant in this behalf.

“The Hathi Committee have made several recommendations for non-user of valuable chemicals like Benzene, Toluene as fuel, recovery of these chemicals from coke ovens of steel plants, us-age of acids sludge, establishment of new drug units using chemicals recovered from coal-tar dissillation at Durgapur, development of coal carbonisation complexes in Andhra Pradesh and Maharashtra, recovery of aromatics from naptha etc. All

these recommendations will be considered in the context of all factors concerning economic viability including the factor of locational advantage."

3. The Government are taking active steps to set up projects for recovery of aromatics like Benzene, Toluene etc. from the Bombay High Gas and have constituted an expert Site Selection Committee. The Committee would be submitting its report very shortly. Even in regard to coal based chemicals the Government have appointed another expert Committee to study the various aspects of the optimal recovery and utilisation of coal chemicals from coal carbonisation plants.

ITEM No. V

Adequate supply of essential and life saving drugs should be ensured.

Government monitors the availability of essential and life-saving drugs. For this purpose, the production of certain selected essential bulk drugs are monitored. In cases of short supply of life-saving bulk drugs, remedial measures like (a) enhancement of Import Plan of canalised bulk drugs; (b) air-freighting of essential canalised bulk drugs; and (c) *ad hoc* allocation of canalised bulk drugs are also taken.

(2) Availability of essential and life-saving drugs formulations is also monitored every week based on the reports received from the State Drugs Controllers/Zonal Offices of the Central Drugs Standard Control Organisation and public complaints. A Monitoring Cell for this purpose, has also been set up in the Department of Chemicals and Fertilizers. In the case of reported shortages of such drugs, the concerned companies whose products are reported in shortage are advised to rush stocks to the areas from where shortages have been reported. Simultaneously, the manufacturers of equivalent formulations are also advised in suitable cases to rush stocks to such areas. Any member of the public can also bring to the notice of Cell regarding shortage or non-availability of any essential drug in a particular area.

ITEM No. VI

Multinational companies in drug industry should be immediately taken over and uninterrupted supply of essential and life saving drugs should be ensured.

The question of nationalisation of drug industry was discussed in

detail by the (Hathi) Committee on Drugs and Pharmaceuticals Industry whose report was laid on the Table of the Lok Sabha in May, 1975.

2. This Committee could not reach unanimity on the view that the multinational firms should be taken over forthwith. The Committee further recommended that having regard to the present stage of development in the drug industry for the purpose of FERA guidelines, this industry should not be eligible for the preferential treatment given to items, then specified in Appendix I of the Industrial licensing Policy of 1973. Foreign undertakings operating in this country should be directed to bring down their equity to 40% forthwith and further reduce it progressively to 26%. Thus there was no unanimous recommendation of this Committee that the drug industry as a whole should be nationalised.

3. In the background of the recommendations made by the Hathi Committee on Drugs & Pharmaceutical Industry, Government examined the question of nationalisation of drug industry carefully and it was estimated even at that time that the take-over of the foreign companies would involve payment of a heavy amount at face value of the net worth of these companies. In actual practice, if a *fair valuation* was adopted, the quantum of payment might be two to three times these amounts. Government, therefore, thought fit to devise other measures to safeguard and encourage the Indian sector and to make use of the foreign sector to subserve National goals. Details of various policy parameters with the following objectives in view are contained in the Drug Policy Statement which was laid on the Table of the Lok Sabha on 29-8-1978 :—

- (i) Development of self reliance in drug industry;
- (ii) According leadership role to the public sector;
- (iii) Quick achievement of self-sufficiency in the output of drugs;
- (iv) Encouragement to the growth of the Indian Sector;
- (v) Making drugs available at reasonable prices; and
- (vi) Regulation of activities of foreign drug companies so as to contain and channelise them to subserve the national objectives and priorities.

4. In this connection it may be mentioned that, in recent years, the Indian Sector has grown at a faster rate than the Foreign Sector,

both in regard to bulk drugs and formulations. For instance, trade sales of the Indian Sector increased by 15.7% in 1979-80 (over 1978-79) compared to a growth of 8.9% in the trade sales of the Foreign Sector. As the policy of encouraging the Indian Sector works its way through, the Indian Sector is likely to emerge as a dominant force in the Indian Pharmaceutical Industry. The foreign sector itself has progressively dwindled. Now there are only 26 such companies and this number is due to become 21 shortly.

5. The Indian Sector now consists of a large number of medium sized enterprises manufacturing essential and life saving bulk drugs and a wide range of formulations in contrast to the situation some years back when this sector practically meant only two units, viz, Alembic and Sarabhais. Companies like Jayant Vitamins, Cadila Laboratories, Themis Chemicals, Ranbaxy Labs., Unichem Laboratories and Unique Chemicals have come forward to take up manufacture of bulk drugs like Vitamin 'C', Mebendazole, Ethambutol, Erythromycin, Ampicillin, Chloroquin Phosphate and Metranidazole. Another heartening feature is that all these companies are utilising the fruits of their own research and development in their manufacturing efforts. This has definitely given a boost to the image and position of the Indian Sector in the Drug Industry.

6. The field, however, is one where the multinationals have a definite role to play. Most drugs become obsolete after some time and we need the multinational connections to bring in know-how and new drugs, as and when they are developed abroad. No country can hope to be totally self-sufficient in research and development or know-how or technology. There has to be constant contact and flow of business, know-how and technology. Through the multi-nationals, we can have access to the fruits of massive international investments in pharmaceuticals' research and development. The answer, therefore, is to keep the connection, curb the mal-practices and to make use of the multinationals to subserve the national interests.

7. The activities of the multi-national drug companies are being meaningfully regulated through the implementation of the following policy parameters contained in the statement laid on the Table of Lok Sabha on 22-3-1978 :—

(i) Foreign companies producing only formulations or only bulk

drugs not involving high technology with or without formulations are required to bring down their foreign equity to 40%.

- (ii) Appendix I activities (the core industries of importance to the national economy listed under Appendix I of Industrial Policy) in respect of "drugs & Pharmaceuticals" has been re-defined to restrict the future activities of foreign companies.
- (iii) Foreign companies will be allowed to take up manufacture only of bulk drugs involving high technology from basic stages and formulations linked therewith.
- (iv) Foreign companies producing drug formulations based on imported bulk or producing bulk drugs from penultimate stages will have to manufacture within a period of two years, the bulk drugs concerned from the basic stage.
- (v) In the case of foreign companies no expansion is to be granted in capacity for any but high technology bulk drugs and intermediates.
- (vi) Foreign companies are not to be given fresh loan licences and the small scale sector will be a prohibited area for them.
- (vii) Industrial licences to foreign companies are to be given subject to the condition of supply of 50% of actual production of bulk drugs to non-associated formulators and also subject to the condition that the overall ratio of bulk drug production to formulation is maintained at 1 : 5.

APPENDIX IV

(See para 2.30 of the Report)

Summary of Revised Proposals for Sixth Plan 1980-85—Central Health Sector

Major Head	Purely Central	Centrally Sponsored	Rs. in lakhs total
1. (a) Rural Health	1500.00	13,000.00	14,500.00
(b) Reorientation of Med. Edn.	—	1,750.00	1,750.00
2. Control of Communicable Diseases	744.00	29,206.00	29,950.00
3. Hospital and Dispensaries	4200.00	—	4,200.00
4. Med. Edn. Research and Trg.	6100.00	—	6,100.00
5. Other Programmes	683.00	17.00	700.00
6. T.S.M. & Homoeo	2533.00	367.00	2,900.00
	15760.00	44340.00	60,100.00*

* From the year 1982-83, a sum of Rs. 68.00 crores has been transferred to Department of F. W. in respect of CHV Scheme.

*Scheme-wise Revised outlay for Sixth Five
Year Plan 1980-85—Central Health Sector*

Sr. No.	Name of the Scheme	(Rs. in Lakhs) Tentative Outlay
CENTRALLY SPONSORED SCHEMES		
<i>I. Rural Health</i>		
1.	Community Health Volunteers (50.50)	10132.00
2.	Training and Employment of MPWs (50.50)	2868.00
3.	Reorientation of Medical Education Extension of Health care to Rural Areas.	1750.00
4.		
5.		
	Sub Total :	<u>14750.00</u>
<i>II. Control of Communicable Diseases</i>		
6.	Malaria Control (50 : 50)	22400.00
7.	Leprosy (100% from 1981-82)	4000.00
8.	Prevention of Blindness (100% from 1981-82)	1800.00
9.	T. B. (50 : 50)	700.00
10.	Filaria (50 : 50)	300.00
11.	S.T.D. (50 : 50)	6.00
	Sub Total :	<u>29206.00</u>
<i>III. Other Programmes</i>		
12.	School Health in Union Territories	3.00
13.	Strengthening of Health Education Bureaux in Union Territories.	14.00
	Sub Total :	<u>17.00</u>

IV. T. S. M. and Homoeopathy

14. Assistance to upgraded TSM Post-graduate Departments (100%)	232.00
15. Estt. of TSM Pharmacies etc. (100%)	75.00
16. TSM/Homoeopathy Dispensaries in Tribal Blocks of Union Territories.	3.00
17. Development of Under-Graduate Colleges of TSM/Homoeopathy in Union Territories,	57.00@
Sub-Total :	367.00
Grand Total Centrally Sponsored Schemes.	44340.00

@ Instead of this scheme which has been dropped, a new Central Health Scheme viz. 'Eradication of Guinea worm' has been taken with an outlay of Rs. 57.00 lakhs with the approval of Planning Commission for 1982-83.

*Scheme-wise Revised Outlay for Sixth Five Year
Plan 1980-85 Central Health Sector*

S. No.	Name of Scheme	(Rs. in lakhs) <i>Tentative outlay</i>
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PURELY CENTRAL SCHEMES

I. Rural Health

1. Trg. & Employment of M. P. W's (Males)	700.00
2. Strengthening/creating Trg. facilities for specialists/technicians and other para-medicals.	500.00
3. Training of Community Health Officers.	300.00
Sub-Total :	1500.00

II. Control of Communicable Diseases

1. STD control including stipend to trainees.	90.00
2. N. I. C. D.	55.00
3. CLTRI, Chingleput	25.00
4. Regional Leprosy Trg. Institute, Aska.	20.00
5. N. T. I., Bangalore.	13.00
6. Pasteur Institute, Coonoor.	125.00
7. Prevention of Blindness (Regional Inst. Training and Health Education)	400.00
8. Training Programme and Health Education for Diarrhoeal Diseases Control.	16.00
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Sub-Total :	744.00
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III. Hospital and Dispensaries

9. All India Inst. of Phy. Med. & Rehab., Bombay.	40.00
10. Grants to Vol. Organisations.	340.00
11. Assistance to Vol. Organisations for setting up Hospitals/Dispensaries in Rural Areas 1/3rd basis.	240.00
12. Cancer Research and Treatment.	1150.00
13. Safdarjang Hospital including C. I. O. & T.	415.00
14. Dr. R. M. L. Hospital	230.00
15. A. I. I. of Speech and Hearing Mysore.	40.00
16. Med. Rehabilitation.	50.00
17. C. I. P., Ranchi.	45.00
18. Dev. of Super-Specialities at—	
(i) AIIMS.	350.00
(ii) PGI Chandigarh	60.00
(iii) Safdarjang Hospital	40.00
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19. C. G. H. S.	1200.00
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Sub-Total :	4200.00
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IV. Medical Education, Research and Training

20.	170 DGHS Scholarship Scheme	48.00
21.	National Board of Examination	15.00
22.	Medical and Health Education Commission.	21.00
23.	Continuing Education of Model Teachers.	20.00
24.	Grant to V. P. Chest Instt., Delhi.	60.00
25.	National Med. Liby. including Documentation Centre.	23.00
26.	Grant to Kasturba Medical College.	250.00
27.	Estt. of Reg. Workshops.	20.00
28.	JIPMER, Pondicherry including Research on vanishing Tribes.	200.00
29.	PGI, Chandigarh.	230.00
30.	A. I. I. M. S., New Delhi	250.00
31.	Dr. R. P. Centre at AIIMS.	80.00
32.	I. C. M. R.	400.00
33.	N. I. M. H. & H. S., Bangalore	400.00
34.	Collaborative studies in Nuclear Medicine.	40.00
35.	Lady Hardinge Medical College	150.00
36.	Kalawati Saran Children Hospital	40.00
37.	Other Research including Research for Diseases to which scheduled castes are generally prone.	40.00
38.	Training and Research Wing of CRI Kasauli.	86.00
39.	R. A. K. College of Nursing.	10.00
40.	Development of State/National Health Profile including Health Services Research Study Centres for Tribal area and Scheduled Castes.	75.00
41.	Award for outstanding performance at Block level.	2.00
42.	National Academy of Medical Sciences.	40.00

Sub-Total : 6100.00

V. Other Programmes

43. Health Education.	28.00
44. Health Intelligence.	30.00
45. A. I. I. H. and P. H. Calcutta.	70.00
46. Goitre Control.	80.00
47. Serologist and Chemical Examiner, Calcutta.	11.00
48. R. H. T. C., Najafgarh.	18.00
49. C. R. I. Kasauli	184.00
50. P. F. A.	115.00
51. Drug Standard Control	100.00
52. Control of Drug Abuses	45.00
53. Planning Cell for Welfare of Scheduled Castes/ Tribes.	2.00
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Sub-Total :	683.00
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VI. T. S. M. & Homoeopathy

54. Development of Homoeo. System Strengthening of Homoeo. Wing.	3.55
55. Central Council of Homoeo.	19.50
56. C. C. R. in Homoeo.	214.00
57. N. I. of Homoeo., Calcutta.	170.00
58. Homoeo. Pharmacop. Lab. Ghaziabad.	28.67
59. C. C. R. in Ayurveda and Siddha	710.00
60. C. C. R. in Unani.	340.00
61. C. C. R. in Yoga and Naturopathy.	144.00
62. Central Council for Indian Medicine	15.00
63. Other Exp. relating to Ay. Siddha and Unani	10.00
64. Publication of Text Books of TSM & Homoeo.	30.00

65. Grants to Voluntary Organisation for Under-Graduate Colleges of TSM and Homoeo.	95.00
66. Training of Under-Graduate Teachers in ISM & Homoeo.	27.01
67. Grants to Indian Medicine Pharmaceutical Corporation, Ranikhet.	20.90
68. Grants to Instts. for Yoga.	127.81
69. Grants to Gujarat Ayurveda University, Jamnagar.	80.00
70. Grants to Aligarh Muslim University for A. K. Tibbia College.	47.54
71. Grants for Dev. of Nature Cure including Instt. for Nature Cure.	40.00
72. Pharmacopoeia Lab. for Indian Medicine, Ghazia-bad.	50.00
73. Grants for N. I. of Ay. Jaipur.	170.00
74. Grants for N. I. of Unani Medicine	130.00
75. Expansion of TSM Wing	10.02
76. Instt. for Advanced Studies in Ay. and Research Kerala.	50.00
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Sub-Total :	2533.00
	<hr/>
Total Purely Central :	15760.00
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APPENDIX V

(See para 3.3 of the Report)

[PRESS NOTE DATED 21st APRIL, 1982 ISSUED BY MINISTRY OF INDUSTRY (DEPARTMENT OF INDUSTRIAL DEVELOPMENT) REGARDING RELAXATION MADE IN THE SUPPLY POLICY OF LEVY CEMENT]

Government of India
Ministry of Industry

(Department of Industrial Development)

PRESS NOTE

Government had announced its decision on partial de-control of cement on the 27th February, 1982. It was then *inter-alia* decided that cement based industries will not be eligible for levy cement. It was also stipulated that levy cement would be available only for construction of dwelling units having a plinth area upto 80 Sq. Mts. There have been representation both inside the Parliament and outside seeking relaxation in respect of both these categories. The matter has been considered by the Government and certain relaxations were announced on the Floor of the Lok Sabha on 21st April, 1982.

2. In regard to small scale and tiny industries using cement as raw material, it has been decided that such units would be eligible for levy cement as the 20 Point Programme envisages extending all facilities to such industries to grow and update their technology.

3. In the case of dwelling units, the following relaxations have been made :-

- (i) For urban agglomeration/towns/cities having a population of one lakh and above as per 1981 Census, the limit in regard to plinth area would be upto 100% Sq. Mts.
- (ii) For urban agglomeration/towns/rural areas having a population of less than one lakh as per 1981 Census, the limit in regard to plinth area would be upto 120 Sq. Mts.

- (iii) Subject to the above limits in the case of individual flats, levy cement would also be made available to co-operative Group Housing Societies but not to commercial builders of multi-storeyed residential complexes.

4. Government would further like to clarify that the 'socially oriented schemes' which are eligible for levy cement under the policy already announced would include the following :

- (i) Socially oriented schemes included in the new 20 Point Programme.
- (ii) Socially oriented schemes included in the revised minimum Heads Programme of the 1980-85 Plan.
- (iii) Activities intended to promote welfare of Scheduled Castes/ Scheduled Tribes like conversion of tradition latrines to flush type latrines etc.
- (iv) Places of worship (irrespective of religion) such as Mandirs, Masjids, Gurudwaras, Churches etc.
- (v) Non-commercial educational institutions; and
- (vi) All charitable/non-profit earning hospital and dispensaries etc.

No. 1-42/81 - Com.

New Delhi, the 21st April, 1982

Press Information Bureau is requested to give wide publicity to the above Press Note.

Sd/-

(P. K. S. IYER)

Deputy Secretary to the Government of India.

Press Information Officer,
Press Information Bureau,
Shastri Bhawan,
NEW DELHI.

APPENDIX VI

(See para 4.2 of the Report)

[REPRESENTATION REGARDING GRIEVANCES AND DEMANDS OF FISHERMEN]

NATIONAL FORUM FOR

CATAMARAN & COUNTRYBOAT FISHERMEN'S RIGHTS & MARINE WEALTH

Central Office :

Cansuaulim-Goa

Ref. No. : M 002/82

Hon. Speaker,
Parliament.

Sir,

Contact Office :

H-24, GREEN PARK EXTN.,
NEW DELHI-110016

Phone : 650113

Date : April 28, 1982

We, the representatives of 6.5 million fishermen of India wish to bring to your notice that these communities have been suffering since the last 20 years due to the anarchic fashion in which the development has taken place in the fishing sector by the introduction of sophisticated technology. We would like to emphasise that this introduction of sophisticated technology has impoverised and is impoverishing a large number of fishermen of India in the traditional sector even though they have contributed 70% of the total produce of fish.

Of late many debates has taken place in the Parliament about fishermen. However, the nature of most of these debates has led us to believe that the worthy members have not fully understood the dimensions of the problems of fishermen. Otherwise how do we explain that members taking up the cause of rich Trawler owners? This forum, on number of occassion taken up the matter with not only concerned authorities, but also with our representatives in Parliament and legislatures. But all these have fallen on the deaf ears of those concerned.

Since the advent of introduction of mechanisation in the fishing sector, all benefits have gone to a sector that contributes only 30% of the total marine production. This even governmental sources agree through their various studies. Despite this millions have poured into the coffers of big Trawler owners.

This is our third visit to New Delhi. We have experienced two different Governments but our plight has in no way improved. Nay, it has only worsened.

We, the representatives of 6.5 million fishermen of the traditional sector, call upon you to use your good offices, to help present our case in proper perspective to that our problems and our sufferings could be resolved, and save us from pauperization.

Thanking you,

Your faithfully,
MATANHY SALDANHA,
CHAIRMAN

Enclosure

**NATIONAL FORUM FOR
CATAMARAN & COUNTRYBOAT FISHERMEN'S RIGHTS
& MARINE WEALTH**

Central Office :
Velsao.
Casaulim-Goa

Contact Office :
H-24 GREEN PARK EXTN,
New Delhi-110 016.
Phone 650113
Date: April 1982.

Ref-No. M 001

THE PRESSING DEMANDS OF THE TRADITIONAL FISHERMEN

Respected Prime Minister,

We submit our sufferings for your consideration and early redressal of our demands.

You are aware that over 2 million self-employed active Catamaran and Country Boat Fishermen who are living in nearly 1800 fishing villages of India in over 5000 Kms. of the coast. Their condition of poverty need not be stressed as it is very well know. Since the introduction of the mechanisation, the fishermen have raised their voice calling attention towards the plight of themselves to the concerned authorities, but all there have fallen on the deaf ears of these authorities.

If would not be out of context here to point out that through the traditional fisherman have been raising their voice towards their plight, yet if anything has been done it has been for the trawler owners and big business rather than to the people who contribute 70% of marine production. With all the money that has been poured into the fisheries, it has been towards the big business and trawler owners and mechanised boats. It would not also be out of context to point out that in order to fill their coffers of their own the trawler owners have been systematically destroying the delicate ecology of the sea by wanton and destructive fishing, with the result that prawns now practically depleted in some parts of the coast.

As a last resort of our struggle for Justice and Survival we, the representatives of Catamaran and Country Boat Fishermen from all over India request you earnestly to :

1. DIRECT ALL THE STATE GOVERNMENTS TO ENACT THE MARINE FISHING REGULATION ACT IN ALL THE STATES WHEREVER IT HAS NOT BEEN PASSED.

IN DIRECTING THE STATE GOVERNMENTS FOLLOWING POINTS SHOULD BE FULFILLED :

- banning trawlers to fish within 20 Kms. and Purse-Seiners within 200 Kms. from the coast;
- banning trawling/Purse Seining during spawning seasons of June, July and August,
- banning night fishing by trawlers/Purse Seiners.

NOTE : WE ALSO WISH TO BRING TO YOUR NOTICE THAT AT LEAST IN TWO STATES OF GOA AND KERALA WHERE THE MARINE FISHING REGULATION ACT HAS BEEN PASSED, IT HAS BEEN CHALLENGED IN HIGH COURT AND SUPREME COURT.

2. THAT THE MARITIME STATES AS WELL AS THE CENTRAL GOVTS. BE DIRECTED TO BAN FORTHWITH ALL EVICTION OF TRADITIONAL FISHERMEN HOUSE FROM THE COASTAL AREAS LOCATED NEAR THE SEA IN THE NAME OF TOURISM, BEAUTIFICATION AND INDUSTRIAL DEVELOPMENT.

Other Demands :

3. That the Central Govt. issue directives to all the Maritime States in India to ban forthwith the extraction of valuable beach sand and destruction sand dunes in the name of Mineral extraction, house building and other commercial fancies of the beach-sand extractors.

4. That the Central Govt. take stringent measures to safeguard the delicate ecology of the Indian ocean from polluting Industries and polluting factor by deploying coast-guard and the the enforcement agencies such as Water Pollution Control Board.

5. That the Central Govt. nationalise the Deep-sea fishing sector and the export of prawns and other sea food.

6. That the Central Govt. work out an effective insurance scheme to insure the lives of the fishermen and protect the loss incurred by the traditional fisherman of India due to the loss and destruction of their implements of fishing

7. That the Central Govt. stop forthwith the allocation of funds to the mechanised sector and re-channelise the funds to the traditional non-mechanised fishing sector which harbour in its fold millions of catamaran and country boat fishermen and their families. Specially allocate kerosene and diesel inboard and out-board engines to catamaran and country boats to enlarge their fishing activity.

8. That the Govt. should provide the basic amenities such as housing, land, education, health etc.

9. That the Govt. should construct Mini-Cold Storage throughout the coast in order to preserve the excess fish caught by the fishermen so that the fish eating public could avail of this fish at cheap rates.

10. That National Forum should be represented and should be given the right to participate fully in decision-making relating to issues pertaining to the lives of the fishermen in India.

11. The Govt. should frame mesh-size regulation and enforce the same stringently.

12. The banning of trawlers of less than 50' in size.

We know that you are very much sympathetic to our problems and here we attach a copy of your letter to the Forum, (your Ref. No. 2002, Dated, June 9, 1979.)

We, the representatives of National Forum of catamaran and Country Boat Fisherman hope that you would use your good office to not only consider our demands, but also to help solve them.

Sl. No.	Name	Union Name	Place	Signature
1.	Thomas Kochery	Kerala Independent Fishermen's Federation	Trivandrum Kerala	
2.	P. Robert	Trivandrum Dist. Fishermen's Union and others	Trivandrum Kerala	

APPENDIX VII

(See para 4.4 of the Report)

[Factual comments of Ministry of Agriculture (Department of Agriculture and Cooperation) on the representation regarding the grievances and demands of fishermen.]

The National forum for Catamaran and country boat Fishermen's Right and Marine Wealth in their representation addressed to the Prime Minister have listed out their demands for the consideration of the Government. The demands of the above Forum and comments of the Department of Agriculture and Cooperation on them are listed below :—

1. *Direct all the State Governments to enact the Marine Fishing Regulation Act in all the States wherever it has not been passed.*

The Forum has asked that all State Governments may be directed to enact the Marine Fishing Regulation Acts. It is further demanded that State Governments may be directed to ban trawling operations within 20 Kms. and purse seining within 200 Kms., to ban trawling and purse seining during spawning seasons of June, July and August, and to ban night fishing by trawlers/purse seiners.

Regarding enactment of legislation to regulate marine fishing, it is stated that based on the Model Bill, sent by the Central Government, State Governments of Kerala, Maharashtra, Orissa and the Union Territory of Goa, Daman and Diu have already enacted necessary legislation. The Government of Tamil Nadu have submitted the requisite Bill for President's assent. The other State Governments are in the process of bringing suitable legislation in this regard before their legislatures. Minister of Agriculture has written to the Chief Ministers of these States to expedite enactment of the legislation. As and when this legislation is enacted, the State Government/U.Ts. would be able to promulgate rules to reserve and delimit specific areas of the sea for fishing by specific types of vessels, to lay down the number and type of vessels to be operated in the specified areas, to regulate or prohibit catching of specific species of fish in any areas and to regulate or prohibit use of specified fishing gear in specified areas.

However, it may be stated that the Forum's demand to ban trawling operations upto 20 Kms., and purse seining operations upto 200 Kms. from the coast is not reasonable as the traditional fishing crafts would not be able to go beyond a few Kms. from the shore. This would result in the wastage of fishery resources which are renewable and are mostly shortlived and which can be exploited by other sectors to the economic advantage of the country. Also, the small mechanised boats have endurance mostly for a day and their operational radius could be upto 18-30 Km. only.

The spawning season of different species of fishes for all the areas of the Indian coast is not the same and is certainly not confined to the period June to August. Our fisheries is of multi-species nature, like all tropical fisheries are and unless there is scientific evidence that certain types of fishing is injurious to certain stocks of fish during a particular season, it is not possible to impose a total ban on such fishing methods.

Again the question for banning of night fishing by trawlers/purse seiners cannot be imposed for all the areas. Most of the fishes are diurnal in their habits, some surfacing during the night and some surfacing during the day.

However, depending on the characteristics of the fisheries of the States, the State Governments have option to impose restrictions on such fishing activities as are harmful to the resources under their respective legislations.

2 To ban forthwith all eviction of traditional fisherman houses from the coastal areas located near the sea.

The Forum has represented that all maritime States as well as Central Government Departments should be directed to ban forthwith all eviction of traditional fishermen houses from the coastal areas.

Answer to this question will depend on the facts and circumstances of each case. Sometimes some displacement becomes unavoidable when an area is being taken up for general development. Sometimes eviction of fishermen colonies from the low lying areas is necessary to protect them from tidal waves and other natural havoc. However, it is believed that on all such occasions the concerned authorities must be providing alternate sites/arrangements for the settlement of fishermen families. States like Tamil Nadu have got major schemes for construction of

multi-storied fishermen colonies. Government of Kerala has a separate welfare corporation to help fishermen community in construction of their own houses. If any specific case of negligence or omission is brought to the notice of Central Government, the matter will be taken up with the concerned State Government.

3. *To ban forthwith the extraction of valuable beach sand and destruction of sand dunes in the name of mineral extraction? House building and other commercial fancies of the beach-sand extractors.*

It is stated that the directives be issued to all concerned to ban the extraction of beach sand and destruction of sand dunes.

This falls under the jurisdiction of State laws. However, the Central Government shall persuade the States to protect the beaches, if specific instances are brought to the notice of this Ministry.

4. *To safeguard the delicate ecology of the Indian ocean from Polluting Industries and Polluting Factors,*

It is stated that stringent measures should be taken to safeguard the ecology of coastal waters from polluting industries, by deploying suitable enforcement agencies.

Various States have formed the water (Prevention and Control of Pollution) Boards, who are taking suitable actions to monitor pollution due to industrial effluents etc. Exact position is being ascertained from the State Governments.

5. *To nationalise deep sea fishing sector and export of prawns and other sea food.*

The forum has demanded that the Government should nationalise the deep sea fishing sector and the export of prawns and other sea food.

The demand is not reasonable, and cannot be met. The general attitude of the Government is that the deep sea fishing activity should be left open for all, corporate, cooperative and private sectors for rapid development. There is yet no compelling reason for its nationalisation, This applies to the export of marine products also.

6. *Insurance scheme for fishermen.*

The forum has asked to work out an effective insurance scheme to insure lives of fishermen, due to loss and destruction of their implements of fishing.

The matter was earlier referred to the Ministry of Finance. According to that Ministry, there is no compulsory insurance scheme to cover fishermen specifically. However, any one including a fishermen can obtain an insurance under a Janatha personal accident policy.

7. *To stop application of funds to mechanised sector and re-channelise the same to traditional non-mechanised sector.*

The Government's principal objective is to increase fish production from all the three sectors, namely, traditional non-mechanised, small mechanised and larger mechanised (deep sea) sectors. We cannot afford to neglect any one sector at the expense of others if we have to ensure proper exploitation and utilisation of the entire resource base.

The mechanised sector is progressively capital-intensive, depending on the size of the vessel, the gear employed, the equipment fitted and the facilities available. The larger the capital requirement, the greater is the assistance required from the Government for this developing sector.

Both the traditional non-mechanised sector and the small mechanised sector are receiving assistance from the respective State/U.T. Government, the pattern of assistance varying from State to State depending on the local conditions.

As the small mechanised sector grew up, the quantum of assistance that was given in the earlier years was steadily reduced. Now there is a general element of caution in encouraging introduction of small mechanised boats because there is a feeling that in many areas, the number has reached a saturation point or exceeded the requirement. The present approach is (i) to divert the small mechanised boats which are oriented towards catching of shrimp for diversified fishing for other varieties, and (ii) to introduce small mechanised boats only in such areas where the fishing pressure is considered low. Government are keen that the ocean going fleet should expand so that the Fishery resources of the high seas are exploited. With this and in view, they are extending facilities including soft loan to this sector.

8. *To provide out-board engines to traditional fishermen.*

The demand for supply of kerosene driven out-board motors is a genuine demand in so far as areas such as north west coast, where highly valuable fish like pemfrat; ghol, dara, etc. are available. In other areas it would be uneconomical involving considerable expenditure on maintenance and running of the engines which would not be commensurate with the returns. A good number of out-board motors have been allowed to be imported by the States of Gujarat, Tamil Nadu and Andhra Pradesh and some private firms have also received letters of intent for indigenous manufacture of small out-board engines.

9. *To provide amenities such as Housing, Land, Education.*

The above amenities are already being provided by various State Governments through their plan schemes.

10. *To construct Mini-Cold Storages throughout the coast.*

There are already a large number of cold storages and ice plants along our coastline. Even as it is, they are grossly under-utilised at present. Facilities are also provided at fish landing centres for supply of ice to preserve the quality of fish catch. The need for cold storages may be confined only to certain centres which are traditionally known to witness bumper catches occasionally. It would not be necessary nor economical to have cold storages throughout the coast line.

11. *The forum should be represented in decision-making bodies of Government.*

There are non-official members representing various categories of fishermen in the Central Board of Fisheries which is presided over by the Union Ministers for Agriculture. This is the apex body for discussing various problems and for recommending policies and programmes for fishery development.

12. *To regulate mesh-size and enforce them.*

This would be taken care of by the State Governments under the legislation referred to in para-1 foregoing to regulate marine fishing. The Government of India have also constituted a Committee on conservation of shrimp and other resources in this regard, whose report is awaited.

In this context, it is pertinent to point out that on the basis of recommendations of a Committee appointed by the Indian Council of Agricultural Research, the Government of Kerala introduced mesh regulation for fishing nets used in the back waters as a conservation measure for shrimps. However, this regulation could not be affectively implemented mainly because of non-cooperation from the traditional sector who refused to comply with the regulation,

13. To ban trawlers of less than 50' in size.

The reasons for the demand to ban trawlers of less than 50' in size are not known. There are about 12,000 trawlers less than 58' in length representing about 70% of the total fleets of small mechanised boats. Banning of such a large fleet of vessels would undermine the developmental efforts taken by the Government for fisheries. Optimum number of small mechanised boats is necessary to fully exploit the potential of the inshore waters and any ban on their operation would be derogatory and would result in under-exploitation.

14. Other comments.

On the basis of census conducted by the Central Marine Fisheries Research Institute in 1980, the fishermen population of the country is of the order of 31.3 lakhs of which the number of fishermen engaged in actual fishing is 4.8 lakhs. The Forum's claim that they represent 65 lakh fishermen and that 20 lakh are active catamaran/country boat fishermen is therefore, not correct. It may further be seen that the signatures to the Memorandum submitted to the Prime Minister are those from Kerala, Goa and Tamil Nadu only.

Finally, it may be stated that considerable efforts by the government have gone towards helping the traditional fishermen through subsidies and loans, for the construction of boats and for purchase of fishing gears and for the acquisition of other fishery requisities. The programme of mechanisation has brought in economic prosperity to the fishermen and the major beneficiaries of the coastal mechanisation programme are from the traditional fishing sector. It has been the endeavour of the Government to see that the traditional fishermen get the benefit of modern technology to increase their production. The State Governments have been repeatedly advised to protect the interests of the traditional fishermen.

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PUBLISHED UNDER RULES 382 OF THE RULES OF PROCEDURE AND
CONDUCT OF BUSINESS IN LOK SABHA (SIXTH EDITION) AND
PRINTED BY AKASHDEEP PRINTERS
NEW DELHI
