

MR. SPEAKER: I have allowed you under Rule 377.

श्री मनी राम बागड़ी : आप एक मिनट सुन लें ।

अध्यक्ष महोदय : सुनने का कोई खाल नहीं है जब मैंने अलाऊ कर दिया । भगत सिंह सारे देश के लिए सर्वोपरि हैं । उसके आगे तो सब का सर झुकता है । अगर कोई आंख उठाता है उसके बुत की तरफ भी तो वह तो बहुत जलील काम है । उसके आप लाइये करेंगे ।

When I have allowed you, why should you do it like this? When I have allowed you, why should you waste my time?

SHRI MUKUNDA MANDAL (Mathurapur): I have given an adjournment motion.

MR. SPEAKER: I have rejected it. Yesterday, we discussed the same thing. I have to do some constructive work. I have got some economic problems to be discussed in this House.

(Interruptions)

MR. SPEAKER: You come and see me; not like this. Calling attention—Shri Chandra Pal Shailani.

(Interruptions)

AN HON. MEMBER: Not present.

MR. SPEAKER: This is very serious problem. That day I had also made a remark about it. I have asked the Press and made a request in this behalf that we must have a coordinated approach, I will request the Press to cooperate and we must nip this evil in the bud.

यह तो सारे देश के लिए खतरनाक मसला है । करिए शेजवालकर जी । रेडियो ने इसको किया, लेकिन प्रेस ने इस बात को

उतना नहीं उठाया जितना कि होना चाहिए था । मैं उनसे भी कहता हूँ कि वह भी इस बात को उतना ही उठाये जोर से ।

This is a very serious problem, I would like it to be tackled on a war footing.

SHRI HARIKESH BAHADUR (Gorakhpur): The Press is very responsible, but the Government is not taking the Press very seriously.

MR. SPEAKER: That is what I have requested them, because they are so cooperative. Calling attention—Shri N.K. Shejwalkar.

#### CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED UNEARTHING OF A SPURIOUS DRUGS RACKET BY EAST DELHI POLICE

SHRI N. K. SHEJWALKAR (Gwalior): I call the attention of the Minister of Health and Family Welfare to the following matter of urgent public importance and request that he may make a statement thereon:—

“Reported unearthing of a spurious drugs racket by East Delhi Police on 24 March, 1982 and action taken by the Government in the matter.”

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (KUMARI KUMUD-BEN M. JOSHI): Mr. Speaker, Sir, the Delhi Police laid a trap on March 24th 1982 on receipt of information that some persons were indulging in the sale of opium and spurious drugs and running factories manufacturing spurious drugs and apprehended one Shri Nemi Saran Gupta, who was found to be carrying 3 kgs. of opium and 4000 tablets labelled as Mandrax.

On interrogation of Shri Nemi Saran Gupta the Police have found that his

father Shri Jagdish Parshad and one Shri Kishan of Shānti Mohala, Gandhi Nagar are jointly engaged in smuggling of narcotics and are also running a factory in the house of Shri Kishan where adulterated medicines are being manufactured and stored.

When the house of Shri Kishan was raided by the Police four persons namely, Sarvashri Ram Kishan, Pra-deep Kumar, Asha Ram and Sudhir Kumar were found working in the factory. The Police have reported that they have seized an electric machine being used for manufacturing tablets with the aid of die affixed indicating SPASMINDON on one side and INDON on the other side indicating the name of the company; 30 printing block dies indicating names of various medicines, indication/direction of use, statutory warning of Schedule H drug, poison, made in India etc.; 22 rubber stamps which indicated year of manufacture and expiry, batch number, price etc; more than 30 different types of labels of popular medicines of various reputed companies; about 10 lakhs tablets; 2 lakhs filled capsules; more than 50 thousand empty capsules; raw materials, empty and filled containers etc.

The Police have registered cases regarding the recovery of the opium under the provisions of the Opium Act and the recovery of Mandrex under the provision of Dangerous Drugs Act at Seelampur Police Station, Delhi. A case has also been registered under the Indian Panel Code, Drugs and Cosmetics Act and the Dangerous Drugs Act at Krishan Nagar Police Station, Delhi, regarding the recovery of drugs medicines, printing blocks etc. Further investigations by the police are in progress.

It has been reported that interrogations of the accused have revealed that the spurious drugs were being supplied to 4 parties in Delhi, one party each in Haryana and Punjab and 2 parties in U.P. The officers of the Delhi Drug Control Organisation have raided the premises of the parties in Delhi and found that out of four one

party did not exist. Samples of a number of drugs from the three parties have been collected and sent for test. Steps are being taken to collect some samples of the drugs seized by the Delhi Police from the premises which according to the Delhi Drug Control authority are unlicensed.

The Drugs Controller (India) has intimated the names of the parties, outside Delhi, to the Drug Controllers of U.P., Haryana and Punjab advising them to take immediate action in the matter.

The manufacture and sale of spurious drugs should be a matter of serious concern to all of us. As Hon'ble Members would appreciate it is a clandestine activity indulged in by anti-social and unscrupulous persons who deserve stringent punishment. The Drugs and Cosmetics Act which regulates the import, manufacture and sale of drugs is essentially a legislation intended to monitor and control the activities of drug manufacturers and dealers. The control over the indigenous manufacture and sale of drugs is exercised by the respective State Drug Control Organisations and the problem of spurious drugs has to be tackled by them and the Police.

Delhi Administration have an Intelligence Cell in their Drug Control Organisation for tackling the problem of identification and sale of spurious drugs. Intelligence-cum-Legal Cells have already been set up in some States. Others have been advised to set up similar cells with a view to combating this evil effectively.

The Government also intend to amend the Drugs and Cosmetics Act to provide for stringent punishment to those who indulge in manufacture and sale of spurious drugs.

MR. SPEAKER: They are not only criminals, they are murderers.

श्री राम विलास पासवान (हाजीपुर)  
मंत्री महोदय ने बताया क्या है ? खोदा  
पहाड़ निकली चुहिया ।

श्री मनोराम बाभई (हिसार) :  
क्या इस बात का पता नहीं लगा कि यह  
कारखाना कब से चल रहा है ?

SHRI N. K. SHEJWALKAR: I am very much thankful to you for admitting this important Calling Attention Motion. I could see the anxiety, which you are showing and which everybody including the Ministers is having for action against such sort of criminals. Actually, as you said, it is murdering. It is nothing short of murder and this murderous activity is going on. I must say—the hon. Minister will excuse me for saying that—that the Government does not seem to be taking this matter seriously. The hon. Minister, the Cabinet Minister has come now, that is very good.

In the statement itself it seems that the responsibility is tried to be shifted. On page 3, bottom they say:—

“The control over the indigenous manufacture and sale of drugs is exercised by the respective State Drug Control Organisations and the problem of spurious drugs has to be tackled by them and the Police.”

It is the joint responsibility of the Government to stop such an activity. Of course, now the Delhi Police have been successful in catching hold of a few persons. But I am not revealing any secret when I say that this is an activity which is going on for long, ever since the Act came into force. I am not going into that. But a question was put in 1980 in this House by one of our Members, Shri Nahata. He asked:

“(a) How many cases of spurious drugs were detected during the last three years State-wise; and

(b) What steps and actions have been taken for penalising and preventing manufacture and supply of spurious drugs?”

I may be wrong, but I feel that there is no seriousness on the part of the

Government, because a prototype reply was given. Some 12 points were given regarding the steps taken. The same question was put by the hon. member, Shri Shamanna, in April, 1981. Word for word the reply was the same as given in 1980. The only difference was that while in 1980 the numbering was in Roman, in 1981 it was in Arabic! But exactly the same thing was repeated. Does it show seriousness? If I may recall, 4 or 5 cases were reported regarding Kanpur, when spurious glucose was given to some patients and they suffered in the hospital. What has happened to those cases? Every time—and in February also—the Minister disclosed on the floor of the House that stringent action would be taken and punishment would be increased. Yesterday also he was pleased to declare that the minimum punishment would be five years and the fine would be Rs. 10,000. But what has been done till now? I want to know how many people have been prosecuted successfully up till now and what has happened to the Kanpur case. I want to know what you have done. We want to know how many cases have been tried by you and how many cases have been finalised.

Recently in the Medical Institute itself....

MR. SPEAKER: I would like to have the indulgence of the House. This is a very serious matter and there is always gossiping all around. I would like the attention of the House; please, order. If you have to talk, please go out and talk.

SHRI N. K. SHEJWALKAR: There is a patronage to killer glucose. In the All India Medical Institute, glucose with fungus was supplied. You know that at the very serious moment, when the patient is on the death bed, then only such medicines like glucose are given to the patient. But glucose containing fungus was supplied. It was revealed that the label was of 6th December. On 21st of December, it was supplied to the store and it was taken up for treatment on 26th December.

No action has been taken up till now. The doctors have to hang a poster in the hospital saying that there is a killer glucose! If this is happening, how is action being taken? How can I say that the Government is taking the matter seriously? In February in the reply given to the House, the Minister said that the Central Council of Health has given certain recommendations. What are the recommendations, we do not know even today. The reply which has been given, is a casual one. This reveals nothing more than what the press says. In February, they said that CCH had given certain recommendations. How much time will you require for implementing those recommendations? If they are serious, they must at least take the House into confidence. Why do they not put the Report on the Table? Let it be debated here so that Members may give some useful suggestions. For example I would like to give some suggestions.

They say that the tablet making electric machine has been found there. What about other things? They have to prepare the substance first, then container, capsules, tin foil on which they have to print the name of the tablet. From where does that machinery come? Can they not put a check on the company which is manufacturing these machines? Can they not trace this company?

The gentleman was caught while carrying opium. During interrogation he revealed that his father and others are doing such things. I have seen the press report. His father has not been arrested as yet though his son says that his father and his partner are manufacturing spurious drugs. I do not know whether he is absconding or he is having some patronage of some persons. They say that the Drug Controller has intimated the names of parties outside Delhi to the Drug Controllers of Punjab and Haryana, as if they are waiting to receive the police. Why did the police not go there immediately?

I pointed out the case of Dawson Company which supplied the killer glu-

cose. This has not yet been black-listed. It is still supplying glucose to hospitals. Their duty was to go immediately and seize the goods and arrest those persons. Their major supplies are to the Government hospitals where all these things are happening. Today, many of us do not take medicines from the hospitals. We prefer to take medicines from outside because nobody believes that the medicines supplied by the hospital are genuine. The major offence is committed in the hospitals itself. In this murdering activity, all these hospitals are involved. Therefore, my submission is that you should really be serious about it.

One gentleman Mr. Gyan, who they claim, is the informer, has not yet been arrested. He is the informer. He is not arrested, because they want an approver. Approver for what? For having evidence. Evidence for what? In spite of having a big machinery for checking spurious drugs, to collect evidence they want an approver. Why should they want an approver for such a thing? Because, without evidence the culprits cannot be punished. When you have seized tonnes of medicine, drugs, which were found lying there, is that not evidence?

So, I want to know how many cases have been filed up till now. What has been the result? Who are the parties to whom these drugs have been supplied? What action has been taken in the glucose case in Kanpur and in the All India Institute of Medical Sciences? Will the hon. Minister let us know whether the recommendations of the guidelines laid down by the Central Council of Health will be laid on the Table of the House?

Then, what about the amendment of the law? All these things should be made clear. Then, the law being what it is today, even if you provide stringent punishment, where I am with you—even if you provide the punishment of death, I will be with you—that will not solve the problem, because the

[Shri N. K. Shejwalkar]

fault lies elsewhere. The machinery is not working properly. That is the difficulty. Unless and until...

MR. SPEAKER: The hon. Minister.

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI B. SHANKARANAND): The hon. Member has raised many issues, right from the recommendations of the Central Council of Health till the glucose tragedy in Kanpur and in the All India Institute of Medical Sciences. I may inform the hon. Members of this House the salient features of the recommendations made by the Central Council of Health, at its Seventh meeting, held in June 1981. They are:

1. The State should draw up a time-bound programme for re-organising and strengthening the Drug Control Organisation, recommended by the Council at its earlier meetings held in January and October 1978, viz. (a) appointment of technically qualified and experienced whole-time controllers; (b) appointment of adequate number of drug inspectors and supervisory staff on reasonably attractive salary; (c) the establishment of a well-organised drug testing laboratory capable of testing all categories of drugs; (d) a legal-cum-intelligence wing, suitably equipped for unearthing the manufacture and sale of spurious drugs and for processing legal cases.

2. The State should provide adequate funds for implementing the above time-bound programme.

3. The States that have availed of Central assistance for establishing food and drug laboratories should take steps to ensure that those laboratories start functioning by providing adequate staff and adequate money.

4. The State Government should exercise stringent control over the licensing of new drug units with a view to reducing proliferation and ensure that only units with adequate facilities and competence are licensed.

5. The States should carry out a concerted drive against the manufacture and sale of spurious drugs, particularly in the semi-urban and rural

areas. Prosecution should be launched against persons indulging in these activities.

The Ministry of Health had written to the State Governments, requesting them to implement the resolution passed by the Central Council of Health. From the response received from the State Governments and Union Territories on the action taken to implement the resolution adopted by the Central Council on 8-10-1978, it is seen that barring the States of Maharashtra, Gujarat, Tamil Nadu, Kerala and Karnataka, which have taken steps to streamline the drug control machinery, including the setting up of drug testing laboratories, the other States are yet to streamline their drug control machinery, on the lines suggested by the Central Council of Health. I have written to and my Ministry has also reminded, the other States to follow suit in this case.

The hon. Member said that my reply in this case is very casual. I am sorry he has not been able to understand the meaning of my reply, which the House has just now heard. He wanted to know about the Kanpur tragedy, the death of about 20 children in that hospital, which had happened between 1970 and 1972 by injection of glucose. The person who was manufacturing is prosecuted and the matter is still pending in the court. (*Interruptions*). That is still pending in the court.

SHRI JAGDISH TYTLER (Delhi Sadar): He should have been hanged.

(*Interruptions*)

SHRI RAM VILAS PASWAN: Is the culprit in jail or outside the jail?

(*Interruptions*)

SHRI B. SHANKARANAND: Sir, this is a matter which is pending in the court and I do not want to comment upon it.

SHRI MANI RAM BAGRI: We want to know whether he is in Delhi or outside Delhi.

SHRI RAM VILAS PASWAN: Why have you not arrested him under the National Security Act? What is your responsibility?

(*Interruptions*)

श्री मनीराम बागड़ी : इन बच्चों का हत्यारा जेल में है या जेल के बाहर है, यह मैं जानना चाहता हूँ . . . (व्यवधान . . .)

श्री एन० के० शेजवलकर : मंत्री जी इतना बता दे कि यह केस फाइल कब किया ?

अध्यक्ष महोदय : मेरी बात सुनिए । आप क्या कर रहे हैं, बोलते चले जा रहे हैं । मैं यह कहना चाहता हूँ कि हाउस को हर एक सेक्शन की इस बात में सहमति है कि ऐसे हत्यारों का पकड़ा जाए और लटकाया जाए और डेटरेण्ट पनिशमेंट दिया जाए । तो आप बहुत एनर्जेटिक मिनिस्टर हैं ।

SHRI B. SHANKARANAND: That is the reason why we are coming before the House with an amending Bill.

अध्यक्ष महोदय : बात यह है कि डेटरेण्ट एक्शन जो है, वह ऐसा होना चाहिए जो वाकई में डेटरेण्ट हो । एक आदमि कत्ल करता है, तो उस को फांसी लग जाती है चाहे उसने दुश्मनी से उस को मारा हो, लेकिन यह जो हज़ारों मांगों और बच्चों और पता नहीं किस किस को मारता है और कहां कहां मारा है, उस को सिर्फ पांच साल की सजा होती है । इस को जरा आप सोचिए और मैं जानता हूँ कि आप गंभीरता से इस में लगे हुए हैं लेकिन इस पर और सोचिए । यह इनडा रेक्ट मंडर है । जो ऐसी दवाइयों को बेचता है और जो उनमें डील करता है, वह सब सत्यानाश करता है और इस के बारे में आप सोचिए । बिल की जो बात है, वह तो आएगी लेकिन इस पर आप सोचिए । जहां तक ताल्लुक है कोर्ट का, उसमें हम कुछ नहीं कर सकते ।

it is already in the Court.

(Interruptions)

MR. SPEAKER: That has been brought to his notice.

(Interruptions)

MR. SPEAKER: It is all right now.

श्री एन० के० शेजवलकर : मैं यह जानना चाहता हूँ कि कोर्ट में कब पेश किया ?

SHRI RAM VILAS PASWAN: Sir, you are in the Chair . . .

(Interruptions)

अध्यक्ष महोदय : आप की बात आ गई, अब आप बैठिए । . . . (व्यवधान) . . .

श्री एन० के० शेजवलकर : पेश कब किया, यह बता दें ।

SHRI B. SHANKARANAND: Sir, I share the concern of you and the concern of the House in this case and we are coming before the House really with an intention to provide deterrent punishment to such offenders. These people are committing crime against the society. They do not deserve any sympathy and I share the view with the House that we have to provide certain measures to prevent this.

MR. SPEAKER: The House is with you in this.

SHRI JAGDISH TYTLER: Till such time as the Act is amended, the National Security Act can be used.

(Interruptions)

SHRI RAM VILAS PASWAN: Sir, you give your ruling.

अध्यक्ष महोदय : मैंने बता तो दिया अब मैं और क्या कहूँ ?

SHRI CHANDRAJIT YADAV (Azamgarh): Why is the Minister hesitating? At least he can say that this is a good suggestion.

MR. SPEAKER: I think he should use whatever powers are with him.

(Interruptions)

SHRI CHANDRAJIT YADAV: Sir, in such cases he should use that. This is a very serious matter.

श्री एन० के० शेजवलकर : मिनिस्टर साहब यह बता दे कि पेश कब किया था और चालान कब हुआ . . . (व्यवधान) . . .

श्री राम विलास पासवान : यह तो मिली-भगत होता है डाक्टरों की और दूसरे लोगों को । . . . (व्यवधान) . . .

SHRI B. SHANKARANAND: Sir, I have heard the Members and know the feeling of the House in this case.

SHRI MANI RAM BAGRI: Then what will you do?

SHRI B. SHANKARANAND: Regarding the hon. Member's sweeping remark that nobody believes in the hospitals and their treatment, this very House. . . . (Interruptions).

श्री मनीराम बागड़ी : इसका आप क्यों लेते हैं। आप इस सवाल का लीजिए कि हाउस यह चाहता है कि नेशनल सेक्यूरिटी एक्ट में इन को पकड़िए । . . . (व्यवधान) . . .

MR. SPEAKER: Nothing will go on record without my permission.

बागड़ी जी अंग्रेजी में बोले हैं, फिर भी आप नहीं समझे ।

श्री मनीराम बागड़ी : ये इस बात को पकड़े बैठे हैं कि अस्पताल को क्यों निन्दा को है । आप उस बात को छोड़ दो ।

MR. SPEAKER: Let me conduct the debate. Please sit down.  
(Interruptions)

Please sit down.

जै: उन्होंने उठाया है, उसका भी जवाब दीजिए ।

SHRI B. SHANKARANAND: This House on many occasions has discussed about the rush of patients and created hospitals. This itself shows that the people do believe in our hospitals and they rush to the hospitals.

श्री मनीराम बागड़ी : सवाल आपकी दवाइयों का है ।

डा० राजेन्द्र कुमारी बाजपेयी (सीतापुर) : नेशनल सिक्योरिटी एक्ट . . . (व्यवधान) . . .

SHRI B. SHANKARANAND: Let us not.

अध्यक्ष महोदय : आप बैठ जाइये । वे तो कह रहे हैं । उनका कहने ही नहीं देते । एक मेम्बर कहता है बोलो, दूसरा कहता है मत बोलो ।

SHRI N. K. SHEJWALKAR: I want to put a question. Regarding glucose there are cases. Now he has come to the other point. He has not said anything about the Indian Medical Institute. I have specifically asked about glucose. . . . (Interruptions) . . .

अध्यक्ष महोदय : अब आप बैठ जाइये । उन्हें बोलने दीजिए ।

SHRI N. K. SHEJWALKAR: I am sorry.

अध्यक्ष महोदय : यह क्या कर रहे हैं । वे दवाइयों को बात कर रहे हैं ।

SHRI B. SHANKARANAND: It is better not to pull down our hospital treatment and the doctors. They are working day and night, attending the patients. Please do not do anything so that their morale is not bogged down.

MR. SPEAKER: We are talking about the drugs.

अब आप सुए

SHRI B. SHANKARANAND: About the All India Medical Institute my information is that out of 610 bottles of the particular batch of glucose supplied to the Institute, 606 were used without any adverse effect. I am just sharing my information with the House. I am not commending anything.

SHRI CHANDRAJIT YADAV: Negative. Whether there were any useful. . . .

SHRI B. SHANKARANAND: Samples have been drawn and Delhi Drugs Control authority is looking into it.

श्री राम विलास पासवान : यह जो सारा मामला उठाया गया है, यह अखबार में आया है । डाक्टर इसको सपोर्ट कर रहे हैं ?

SHRI B. SHANKARANAND: I am not saving anybody. (*Interruptions*).

MR. SPEAKER: He would not save anybody.

(*Interruptions*)

SHRI B. SHANKARANAND: The matter is with the Delhi Drug Control authority. I am awaiting their report. The moment I receive the report, I will take whatever action is necessary. (*Interruptions*)

MR. SPEAKER: Not to delay it.

SHRI EDUARDO FALEIRO (Mormugao): You have really adverted the House to the crux of the problem when you said—that is not a question of legislation, alone or it is not mainly a question of legislation, but it is a question of implementation of legislation. It is a question of will-political, administrative and judicial.

My hon. colleague had asked a question from the hon. Minister. I am sure of his good will and all his good intentions. He was asked—'how many cases were filed and what was the result of the prosecution? Possibly he does not have the data. I will just give the data.

Despite the provision of minimum of one year jail and maximum of ten years jail which is the present provision, for the manufacturer of spurious drug, not one person has been sentenced to more than three years imprisonment. Indeed often person convicted of the offence has been imposed imprisonment until the rising of the court. You can imagine! As you have rightly said the merchants of death—these people, they are given this compliment, are being detained in court to grace the court with their presence until the rising of the court. This is really a question of political will, administrative will and judicial will.

I have complimented the Minister. I compliment him again, because as early as in December, 1981,

As early as December, 1981, the Minister had written a letter to all the State Governments who are res-

ponsible for the implementation of these laws, impressing upon them the five important decisions taken by the Central Council of Health and Family Welfare to combat this problem. This is the point demanding laying it on the Table of the House.

(1) Appointment of adequate number of Drug Inspectors;

(2) Establishment of well organised analytical laboratories for testing of sample drugs;

(3) Establishment of an Intelligence-cum-legal Wing for tracking down spurious drugs and maintenance of close liaison with the consumer group, medical profession legal profession and members of the public.

I would like to know from the hon. Minister that after this letter of 30th December, 1981, what has been the reaction and steps effectively taken by the State Governments. Because, whatever was mentioned by him was even before this letter. Now, what has been done after this letter? That will show where the political will and administrative will lies or the absence of it.

In this House, again and again, we have adverted to the manner in which the multi-nationals dumped their products, very often of inferior quality and dangerous drugs in this country. We are very consistently and strongly wanting to put an end to this drug colonial and we want, without any reservation, to encourage indigenous drug industries. While saying so without any reservation, I would like to draw the attention of the Minister that there are infinitesimal percentage of small scale industries, which are actually cottage industries, with an investment of about Rs. one lakh and operating in some areas like Shadhara specifically where they produce spurious drugs which cause death. Very often, it does not act at all. From the reply of the Minister. I think, he was really not concerned with the drugs which do



[Shri Eduardo Faleiro]

not act but concerned only with the drugs which kill. If the drug does not act at all, apparently, it is equally dangerous. Because a man who goes on taking the drugs from a Government hospital or the hospital with the CGHS, it is these organisations who very often purchase these drugs which have no effect at all. One can go on taking these drugs, nothing is going to happen because the quantity of drug is infinitesimal there. The drugs they take do not cure at all. The hospitals are the hunting grounds or fertile grounds for those drugs. They get it in bulk and in large quantities and also it disappears very soon because of large consumption.

I would like the Government to tell us whether the policy of the Government hospitals is accepting always the lowest tender without any concern for the quality. Quality should also be given criteria because merely taking what the cheapest is not enough since the cheapest should also conform to the minimum standard of quality and effective use.

I would like the Government to keep an eye. I do not want to cast any aspersion. But I would like them to keep an eye on the Purchase Committees in the Government hospitals. We know that some companies of dubious reputation go on distributing sarees, refrigerator, stainless steel and all types of incentives to buy their products and recommend their drugs. Will the Government keep an eye on these Purchase Committees and to see that they conform the standard which is required.

I would like the Government to tell us what are they going to do about the men who have been caught, and strengthened with so much of evidence. The Government should take strong action and he should not be allowed to go free at the cost of the country and dangers of the life and freedom of the people. Will the Government reply to this point and really give us a demonstration and make it clear to us of their commitment and interest in following it up

and doing something positive and concrete?

SHRI B. SHANKARANAND: Sir, the hon. Member gave the facts and figures about the people who were tried in the court and prosecuted and very often let off with small punishments and that really strengthens the move and the intention of the Government in bringing forward an amending Bill which, *inter alia*, I should say is the main feature of the Bill that we are bringing before this House. One of the salient features of the Bill is that we are going to introduce the definition of "spurious drugs" in the Act which at present is not there. The second amendment is that the Central Government is sought to be given the power to prohibit import, manufacture, sale or distribution of drug which is considered injurious to health or ineffective, as the hon. Member said. This is what the Government intends to do.

Another most important salient feature is the scheme of penalties that is being modified on a rational. The minimum and maximum penalties are being provided for serious offences. The penalty provided is the minimum of three years imprisonment and the maximum of five years imprisonment...

SOME HON. MEMBERS: No, no.

SHRI B. SHANKARANAND: But we know the views expressed by the Members of Parliament—and it will be considered at the time of the discussion of the Bill.

श्री मनोराम बागड़ी : बिस्मिल्ला ही गलत है इनका ।

श्री राम विलास पासवान : नेशनल सिव्योरिटि; एक्ट के अन्तर्गत आप उनको सजा क्यों नहीं देते हैं ।

अध्यक्ष महोदय : कुछ बन्देबस्त तो होना चाहिए ।

You take the consensus of the House and act accordingly.

SHRI B. SHANKARANAND: It is the House that will pass the Bill, not the Government.

MR. SPEAKER: It is recommended to you by the House. Without an exception, you tell me, any hon. Member is objecting to that? The whole House wants you to be very strict.

SHRI B. SHANKARANAND: We want to provide a deterrent punishment.

SHRI JAGDISH TYTLER: We are very happy with your words, Sir.

डा० राजेन्द्र कुमारी वाजपेयी: नेशनल सिक्वोरिटो एक्ट को अभी तक विरोधी दल मानते नहीं थे। आज इसको मान रहे हैं। हम इसका स्वागत करते हैं।

अध्यक्ष महोदय: कहां ले कर चल पड़ी हैं।

SHRI B. SHANKARANAND: I am happy that the move of the Government is supported by all sections of the House.

MR. SPEAKER: That strengthens your hands.

SHRI B. SHANKARANAND: Another salient feature is that a provision is being made for certain offences punishable under the Act not exceeding three years to be tried in a summary way. We are providing a provision for a summary trial in the Act. These are the salient features of the amending Bill with which I will come before the House.

Another thing that the hon. Member asked was about the Kanpur case. It is pending in the court; the matter is *sub judice*. So, I do not want to say anything more on that.

SHRI N. K. SHEJWALKAR: Sir, I want your protection. When did they file it? Let us know at least that.

SHRI KRISHNA KUMAR GOYAL (Kota): When did you file the challan in the court as far as the Kanpur case is concerned?

SHRI B. SHANKARANAND: I do not have the details.

SHRI G. M. BANATWALLA (Ponnani): Mr. Speaker, Sir, we will never be able to find words adequate to condemn most strongly the heinous crime as you have pointed out, of manufacture and sale of spurious drugs. You have very rightly pointed out that the murderers are at large and there can be no mercy whatsoever to them.

Before I put any questions, I must also say that the Delhi Police deserves every credit for having unearthed this racket. This racket is one of the biggest in recent times. But here I am constrained to remark that the reply that we have got today from the Health Minister does not credit whatsoever to the Health Minister. It may do a lot of credit to the Minister of Home Affairs, Giani Zail Singh. But as far as the Health Minister is concerned, this reply is such that one hangs down one's head in shame.

No doubt that the Delhi Police was very active. But what was this Drug Control Administration doing?

I have been carefully reading this statement as to what the Drug Control Administration in Delhi is doing. I found only two things to their credit. The Drug Control Administration, we are told at p. 3 of this statement that:

"As far as the Delhi Drug Control Organisation is concerned, they are taking steps to collect samples seized by the Police in order to test them."

That is the work, the great work, that even the Intelligence machinery of this Drug Control machinery has done.

The second great step that they had taken—hats off to them. I am only having a cap which I cannot raise—is that these Drug Controllers here have intimated the names of the parties to those who are outside Delhi, namely the Drug Controllers of U.P., Haryana and Punjab. This shows the dismal working of the Drug Control

[Shri Banatwalla]

Administration that we have here in Delhi itself.

In the present case, it is not the Intelligence machinery of this Drug Control Administration that has come into the picture. We are told that the Delhi Administration has an Intelligence Cell in the Drug Control Organisation for tackling this problem of identification and sale of spurious drugs.

But then this factory that has been unearthed must have been in existence since long.

SHRI B. SHANKARANAND: How do you know?

SHRI G. M. BANATWALLA: Look at the large-scale activity. This is the attitude that is there from the Hon. Minister of Health. Look at the large-scale of racket that has been unearthed. They have themselves said that 10 lakhs of tablets were found. 2 lakh filled capsules, more than 50,000 empty capsules, raw material and then rubber stamps and machines and so many different types of labels and so on and so forth.

What has the Intelligence machinery been doing all along?

Now through some method or the other, through an informer, the Delhi Police got some information. They acted on that information and that has already been pointed out. There is hardly more than one arrest. How has this factory been working?

Who was giving them the electricity?

What was happening all this time?

What was the Intelligence machinery doing?

The question was already put by the Hon. Member Shri N. K. Shejwalkar. But, I must say that the reply has been evaded.

I must ask the Government to inform this House as to how many raids

were conducted by the Intelligence Cell with the help of Police. As a result of the working of the Intelligence Cell, how many raids have been conducted in the years 1980 and 1981?

How many prosecutions were launched?

How many convictions were obtained?

What is the percentage of cases in which convictions have been obtained?

The Hon. Minister has just now remarked that the simpler punishments that these criminals or murderers got from the court is a deterrent in the functioning of the Governments of States.

But then, as we know, a court has to go according to the case that has been presented before it. It depends much on the efficiency of the prosecution. If the prosecution does not put the seriousness of the case and everything before the Court, the court by itself cannot take cognizance of it. It goes according to the evidence, according to the seriousness, according to the figures and the method with which the prosecution has been conducted in the court. Therefore, I would like to ask the Government, if stringent punishments were not being awarded by the court, what review of the method in which the prosecutions have been conducted has been made by the Government themselves. Cases drag on for a long time and in the meantime, the factories go on, the manufacture of spurious drugs goes on. Today also we are not being told as to what is the fate of the factory that has been unearthed. I would like to ask the hon. Minister in how many cases the National Security Act has been invoked. This Act is meant only for Banatwalla and others; I know; it is meant only for those who work in the social field. There has been a lot of abuse of this Act. I appeal to the Government to invoke the provisions of this Act in a fair manner to

deal with these murderers, as we have said, who are at large.

Then this Intelligence Cell in the drug control administration is not to be found in several States. Let the hon. Minister tell the entire country through this House as to which are those States which do not have the Intelligence Cell and what will be done in order to see that they have the Intelligence Cell

It has been rightly pointed out by hon. Member Shri Faleiro that the question is one of political will and implementation of the Act. The need is for streamlining, an immediate streamlining of the drug control machinery. There is a provision about inspectors; the inspectors are required to be B. Pharms. What are the qualifications laid down for the Drug Controller? In U.P. the Drug Controller is an IPS officer. In Madhya Pradesh the Drug Controller is an IAS officer. When persons ignorant of drugs, ignorant of the process of manufacture of drugs, are put at the helm of administration, what else can be found but a flourishing trade in manufacture and sale of spurious drugs?

Then there is an important question about the drug testing laboratories. There are the State Drug Testing Laboratories and then there are the Reference Laboratories. We have these two different Laboratories the State Drug Testing Laboratories and the Reference Laboratories which act as an appellate body. You will be astonished to know that, when these laboratories test any particular sample, there is a wide variation in their conclusions; there are wide variations in the conclusions adopted by a State Drug Testing Laboratory and a Central Reference Laboratory. The variation is to the tune of 40 to 50 per cent. What is being done in this regard? These are various loopholes of which the murderers at large, the manufacturers of spurious drugs, take advantage. What serious attention has Government paid to this particular point?

We have been told and we know very well—this is my charge—that the authorities adopt a patronising attitude towards the sale of these spurious drugs. In the case of the All India Institute of Medical Sciences, it has already been pointed out, it was not once, it was not twice, it was thrice, that fungus was discovered in the glucose that was being administered to the patients, and repeatedly it was found that these were supplied by the same firm, Dawson, whose name has been given. Why this patronising attitude towards this firm? Is it or is it not a fact that many hospitals prepare their own glucose? Is it or is it not a fact that the AIIMS has sufficient facilities to prepare its own glucose? Then is it or is it not a fact that deliberately the Institute is not preparing its own glucose in order that the authorities may continue to patronise this particular firm? The UP Government is also buying spurious and sub-standard drugs from certain firms. Need I mention the case of Grovers? Will the Government go into all these things, find out and apply their mind to these particular points?....

13.00 hrs.

MR. SPEAKER: Please sum up now.

SHRI G. M. BANATWALLA: In deference to your wish, Sir, I shall now conclude. The matter is such that it does need serious consideration of the various points I have raised and I hope the Government will give a categorical reply to all the points I have raised and shake up the lethargy of the Intelligence Cell they have in the name of health and peace of our country.

SHRI M. RAM GOPAL REDDY (Nizamabad): Will he again make such a long speech as he has done?

SHRI B. SHANKARANAND: The hon. Member has made a reference not only to spurious drugs but also heads, brains and shapes and, of course, along with his cap. Had he known the procedure in taking samples from the

[Shri B. Shankaranand]

drugs seized by the Police, perhaps he would not have made such an unfair comment. I only ignore his comment because he does not know the facts. In this case the Police have seized the entire material from the premises. There is nothing left and if anybody—leave alone the Drugs Controller—wants to draw samples from the articles seized by the Police, he needs an order of the Court; otherwise, no samples can be drawn. This is for the information of the hon Member. That is why I say the hon. Member has only the cap and not the facts. . . . (Interruptions)

SHRI G. M. BANATWALLA: The point that I was making is that the work that the Intelligence Cell ought to have done has been done by the Delhi Police. I think the hon. Minister who does not have even a cap has nothing to understand the points that I have raised.

SHRI B. SHANKARANAND: I will only quote an example, Sir, if you permit me. When a case was being argued before the court, the lawyer who was prosecuting or defending, whatever it may be, was shouting, thumping the table and kicking the ground during his argument and when the other lawyer got up to reply, without making any noise or sound he first began to stamp the table, kick the ground and blow his hands. The Judge asked, "what are you doing?" . . . (Interruptions) Sir, he made an unfair comment on me and I am entitled to say this. When he said that the Health Minister should hang his head in shame, I must reply in this way. This is what the lawyer said, 'This is the first part of my reply. Now I will argue my case.' and then he started arguing his case. . . . (Interruptions) The hon Member must first know the facts before he talks because this is a very serious subject we are discussing.

The hon. Member wanted to know as to which are the States which have the intelligence-cum-legal cell in their drug

organisation. These are the States, Sir, Gujarat, Kerala about which the hon. Member is so much concerned, Maharashtra, Karnataka, Rajasthan, West Bengal and Delhi.

These States, of course, do not have their organisations fully equipped. The States which are well equipped and fully streamlined are: Gujarat, Kerala, Maharashtra, Karnataka and Tamilnadu. (Interruptions) As the hon. Member said, there are some States which do not have qualified drug controllers. I have already written to those States to have fully equipped drug controllers. This is for the information of the House.

Now, Sir, the hon. Member has asked about the details. I have written to all the States which do not have qualified drug controllers to have qualified drug controllers. (Interruptions) I am telling you that I have already informed the Chief Ministers that this should be taken into consideration. (Interruptions). May I tell my hon. friend from Gujarat that Gujarat has got the testing facilities and also have the legal and intelligence cells. (Interruptions) Sir, there was an unfair comment made by the hon. Member regarding patronising attitude of the authorities of the Institute. I may tell you that as far as the All India Institute of Medical Sciences is concerned, if there is any truth in it, I am really going to take steps and take action against those responsible.

13.07 hrs.

[Shri Gulshar Ahmed in the Chair]

Just now the hon. Member referred to U.P. Government.

SHRI N.K. SHEJWALKAR: Glucose was taken three times from the very same person.

SHRI B. SHANKARANAND: If there is any shortage of drugs these are purchased according to rules. (Interruptions) the hon. Members should know that the bulk drugs are purchased by the Chemicals Ministry

through the D.G.S.&D. I do, not manufacture these bulk drugs. Wherever there is a shortage, on the spot, if they are required, some authorities are given to the hospitals. It is the hospital committees which purchase these drugs when they are required urgently.

MR. CHAIRMAN: Now, Matters under 377. Shri Bhëekhabhai.

13.08 hrs.

MATTERS UNDER RULE 377

(i) NEED FOR SURVEY FOR EXPLORATION OF MINERALS IN DUNGARPUR AND BANSWARA DISTRICTS OF RAJASTHAN.

श्री मोखा भाई (बांसवाड़ा): महोदय मैं नियम 377 के अधीन निम्नलिखित विषय की ओर मंत्री महोदय का ध्यान आकर्षित करना चाहता हूँ।

राजस्थान एक पिछड़ा हुआ राज्य है। उसमें भी कुछ एक इलाके जो इसके दक्षिण में गुजरात के साथ हैं, विशेषकर डूंगरपुर एवं बांसवाड़ा जिले और भी अधिक पिछड़े हुए हैं। ये प्रदेश मुख्यतः जन-जाति के लोगों के हैं। हमारी सरकार की यह नीति रही है कि पिछड़े हुए प्रदेशों का विशेष रूप से विकास किया जाए। इसकी आवश्यकता और भी अधिक हो जाती है यदि ये प्रदेश विशेषकर गरीब जन-जाति, पिछड़े हुए लोगों के हों अभी हाल ही में भी भारत सरकार ने अपनी नई औद्योगिक नीति में इस बात का एलान किया है।

राजस्थान के इन जिलों में विशेषकर डूंगरपुर के इलाकों में कई खनिज भरे पड़े हैं। अभी तक इन खनिज पदार्थों का पूरा न तो सरकार को पता चला है और न ही इस प्रदेश का कोई प्रभावित सर्वे हुआ है। अतः मेरी केन्द्रीय सरकार से मांग है कि इन इलाकों को खनिज की खोज करने के लिए एक विशेष कार्यक्रम शुरू करना चाहिये। प्रदेश की सरकार भी इस ओर कार्य कर रही है।

302 LS—12.

पर यह यथेष्ट नहीं है क्योंकि प्रदेश सरकार के पास न तो पूरी धन की व्यवस्था है और न ही अन्य आवश्यक साधन। इस दिशा में अगर आवश्यक समझा जाए तो विदेशी सहयोग भी लिया जा सकता है। एक बार खनिजों का सर्वे होने के बाद उनका वहीं पर कारखानों द्वारा उपयोग यहां के मूल निवासियों की कायापलट कर देगा। यही नहीं इन खनिजों में बहुत से खनिज तो ऐसे भी हैं जिससे काफी मात्रा में विदेशी मुद्रा भी अर्जित होगी।

अतः मेरा स्टील एवं माइंस मंत्री जी से विशेष अनुरोध है कि वे इस दिशा में शीघ्र कार्यक्रम शुरू करें एवं सदन को एक वक्तव्य दें।

(ii) NEED FOR FINANCIAL ASSISTANCE FROM BANKS ETC. FOR DEVELOPMENT OF SMALL SCALE UNITS IN KHERI LAKHIMPUR AREA OF U.P.

श्रीमती उषा वर्मा (खेरी) : सभापति जी, पूर्वी उत्तर प्रदेश के कुछ इलाके विशेषकर मेरे संसद क्षेत्र खेरी-लखीमपुर के इलाके भयंकर प्रकृति-विपदा से ग्रस्त हैं। एक तो यह इलाके वैसे ही पिछड़े हुए हैं उसपर पिछले कुछ वर्षों से सूखा एवं अभी हाल ही में पड़ी ओला वृष्टि ने तो गरीब किसानों की कमर ही तोड़ दी है। इस बारे में राज्य सरकार के द्वारा की जा रही सहायता काफी नहीं होगी क्योंकि उस के पास सीमित साधन हैं। जब तक केन्द्रीय सरकार अपने विशेष कार्यक्रमों जैसे ग्रामीण विकास कार्यक्रम के अन्तर्गत कुछ विशेष उपाय नहीं करती है इस इलाके के लोगों का निर्वाह बड़ा मुश्किल होता जा रहा है।

यहां कुछ एक छोटे-मोटे उद्योग धन्धे भी और पनप सकते हैं। इस में विशेष ध्यान राष्‍ट्रीयकृत बैंकों का