

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED BANNING AND BURNING OF INDIAN FIRST AID DRESSING MATERIAL BY GOVERNMENTS OF U.K. AND AUSTRALIA.

SHRI HARINATHA MISRA (Darbhanga): Sir, I call the attention of the Minister of Commerce to the following matter of urgent public importance and request that he may make a statement thereon:—

“Reported banning and burning of Indian first aid dressing material by the Governments of United Kingdom and Australia and its adverse effect on the export of Indian goods.”

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KHURSHEED ALAM KHAN): Government is aware that some consignments of surgical dressings labelled “sterile” exported from India have been found to be contaminated in foreign countries including U.K., Australia and Singapore.

Manufacture and quality control of surgical dressings is governed by the provisions of the Drugs and Cosmetics Act, 1940 and the rules framed thereunder. Control over the manufacture and sale of drugs (including surgical dressings) is exercised by the State Governments, and each State has a State Drugs Controller alongwith Drug Inspectors and other staff, for enforcing quality control disciplines and also for granting and renewing drugs manufacturing licences.

Prior to the action of the U.K. Government, the Australian Government had also warned consumers that certain wound dressings exported from India were contaminated and should be burnt. One Indian exporter, M/s. Jayer Exports, Calcutta, had been identified by the Australian authorities. Immediately on receipt of this information, the West Bengal Drugs Controller, on the request of the Drugs Controller (India) drew samples of surgical dressings from the premises

of the exporter is well as from the manufacturer, who had actually manufactured the exported dressings (M/s. Sujit and Company, 24 Parganas). On testing some of the samples drawn were found to be non-sterile and contaminated. The office of the Drugs Controller (India) had written to the Director, Drugs Control, West Bengal, suggesting that deterrent action may be taken against both the exporter and the manufacturer under the provisions of the Drugs and Cosmetics Act. The Drugs Controller, West Bengal, has already cancelled the manufacturing licence of M/s. Sujit and Company in respect of products which are required to be sterilised. The manufacturing licence of this firm in respect of other products has also been suspended. Ministry of Commerce have also separately taken action to suspend export of surgical dressings by M/s. Jayer Exports. Names of other firms have been communicated to the office of the Drugs Controller (India) for further action.

Government of India have on November 27, 1981, issued an amendment to the (Exports Control) Order, 1977, providing that export of surgical dressings from India would be allowed only subject to the production of a certificate to the effect that every batch of the surgical dressings is of sterile Quality and has been tested and found to be of standard quality. The certificate should be from an institution approved under the Drugs and Cosmetics Rules, 1945.

अध्यक्ष महोदय : आप मेरी बात सुनते ही नहीं हैं तो मैं क्या करूँ।

(व्यवधान)

अध्यक्ष महोदय : क्या यह मेरा काम है ? यह तो आपका काम है। यह सब तो आप कर रहे हैं, मैं तो नहीं कर रहा हूँ। आप डिस्ट्रिब्यूशन से काम करवाना चाहते हैं, डिस्ट्रिब्यूशन चलाना चाहते हैं। ऐसे काम नहीं चलता है।

(व्यवधान)

अध्यक्ष महोदय : आप मेरी बात भी सुनिए। हमेशा यही होता है। मैं सारे लोगों को सुन चुका हूँ लेकिन हर रोज यही होता है।

(व्यवधान)

श्री हारिलाल आर० परमार : **

MR. SPEAKER: I have not allowed you.

(Interruptions)**

MR. SPEAKER: Nothing is going on record.

आप मेरी बात सुनेंगे? आपको तो इतनी भी सहन-शीलता नहीं है कि जब मैं खड़ा हूँ तो कुर्सी का कुछ मान करना होता है। यह कुर्सी क्या मेरी है या मेरे बाप की है? यह कुर्सी तो आपकी है।

आपने बिजनेस एडवाइजरी कमेटी बनाई है, उसमें आपके नुमाइन्दे होते हैं, सारी पार्टी के लोग होते हैं। जो वहाँ पर तय होता है उसी पर यहाँ डिस्कशन करवाते हैं। लेकिन आप यहाँ पर डिक्लेटरशिप कायम करना चाहते हैं। क्या यही प्रजातन्त्र है?

(व्यवधान) **

अध्यक्ष महोदय : मैंने पहले दिन ही एडमिट किया था।

(व्यवधान) **

अध्यक्ष महोदय : मैं कहां डिक्लेटर बन रहा हूँ? आपकी अपनी कमेटी है। जो तय करती है।

I have not permitted anything. Whatever has been said, that is without my permission.

*(व्यवधान)

श्री चन्द्रजीत यादव (आजमगढ़) : यह सही बात है कि आपने कार्लिंग एडेशन मंजूर किया। उसके बाद कुछ फैक्ट्स आपके नोटिस में आए। राम विलास जी ने कहा कि कमेटी वहाँ गई, पालियामेंटरी कमेटी गई। वहाँ हजिजनों में डर है। दूसरे गांव में भी लोग डरे हुए हैं। चीफ मिनिस्टर और उत्तर प्रदेश की सरकार में लोगों का विश्वास नहीं हो पा रहा है कि जांच ठीक से होगी और ठीक से मुजरिमों को सजा ही पाएगी।

अध्यक्ष महोदय : यह मैं कैसे मान लूँ ?

श्री चन्द्रजीत यादव : पालियामेंटरी एफेयर्स मिनिस्टर से कहें —

अध्यक्ष महोदय : रकेश जी मैं रोज देख रहा हूँ जैसा सबूत आप दे रहे हैं।

श्री चन्द्र जगत यादव : बिजिनेस एडवाइजरी कमेटी को आप बुलाएं और वहाँ इसको रखें।

अध्यक्ष महोदय : मैंने रोका क्या है ?

** (व्यवधान)

अध्यक्ष महोदय : हाउस में जो बिजिनेस आता है वह विट कंसेंसस आफ दी बिजिनेस एडवाइजरी कमेटी आता है। अपनी तरफ से मैं कुछ नहीं रखता हूँ। एडिशन चाहे कर लूँ सबस्टैक्शन नहीं करता हूँ। एडिशन इस वास्ते करता हूँ कि जनहित की बात हो जाए और बढ़ती हो जाए, समय और मिल जाए जनहित के मामलों पर विचार के लिए। तीन चार

[श्री अध्यक्ष महोदय]
बार बिजिनेस एडवाइजरी कमेटी की मीटिंग
हुई है।

** (व्यवधान)

अध्यक्ष महोदय : आप बीच में बोल
रहे हैं। यह बुरी बात है। हरिकेश बहादुर
जो आप रोज़ ऐसा करते हैं। किसी की
सुन लिया करो।

श्री हरिकेश बहादुर (गोरखपुर) :
आप कभी मेरी बात नहीं सुनते। यह
दुर्भाग्य की बात है।

श्री राम लाल राही (मिसरिख) :
हम लोग बिजिनेस एडवाइजरी कमेटी के
संस्कार नहीं हैं।

अध्यक्ष महोदय : आप में से एक
ही होता है, सारे नहीं होते हैं।

... (व्यवधान)

अध्यक्ष महोदय : आप न्याय संगत
की बात कर रहे हो।

... (व्यवधान) ...

अध्यक्ष महोदय : राकेश दाबू मेरी
एक बात सुन लीजिए।

... (व्यवधान) ...

श्री राजनाथ सोनकर शास्त्री (सँटपुर) :
हम लोग आपको पक्षपाती नहीं कहना चाहते
हैं और न हैं। हम आपसे न्याय चाहते
हैं।

अध्यक्ष महोदय : राजनाथ जी, न्याय
डण्डे के दबाव में नहीं मिल सकता है।

... (व्यवधान) ...

अध्यक्ष महोदय : मैं बात करने के
लिए तैयार हूँ।

.. (व्यवधान) ..

अध्यक्ष महोदय : यहां सदन पर चल
रहा है, सामने डण्डा।

... (व्यवधान) ...

अध्यक्ष महोदय : आपको थोड़ा लिहाज
नहीं आता है कि आप किसी की बात सुन
लें। डेली आपका पेशा बन गया है।

(व्यवधान)

अध्यक्ष महोदय : मैंने एक बात आपके
सानने रखी है। आप मेरी बात भी नहीं
सुना चाहते हैं। 50 आदमी एक साथ
खड़े हो जाते हैं। मैं एक बात हमेशा आपसे
कहता हूँ कि जो तरिके से करना चाहो,
कर लो। आप आ जाइए, मैंने इनको भी बुला
लिया हूँ। आप बात कर लो, मुझे कोई ऐत-
राज नहीं है। आप मारा हाउस देवली
पर लगा लो, बफ़ाल्टे पर लगा लो।
मुझे कोई ऐतराज नहीं है। मेरा तो टाइम
नहीं है, हाउस का टाइम है। ये भी
बैठे हैं, आप भी बैठे हैं, बिजिनेस एड-
वाइजरी कमेटी भी बैठी है। मैंने एक बात
आपसे हमेशा कही है।

SHRI RAM JETHMALANI (Bom-
bay North West): You do the right
thing, but why do you do it after such
a long time? They are crying hoarse.

MR. SPEAKER: They are not crying
hoarse, they are trying to browbeat...

(Interruptions)

MR. SPEAKER: I have requested
them...

(Interruptions)

MR. SPEAKER: I have tried to
convince them that I am going ac-
cording to the consensus arrived at
the Business Advisory Committee on
whatever subjects have to be taken
up. Still I am open. That is what I
am saying...

सारां को बैठा दूंगा। आप जो चाहते हैं;

ह कर देंगे, मुझे क्या तकलीफ़ है ?

... (व्यवधान) ...

अध्यक्ष महोदय : मैंने श्रीरंजना कहा है । आप सुनें तब न ।

(Interruptions)

MR. SPEAKER: I have been repeating the same thing over and over again....

आप समझते नहीं हैं, मैं क्या करूँ
... (व्यवधान)

श्री राजनाथ सोन कर शास्त्री : आप आज बुला रहे हैं ।

... (व्यवधान)

श्री राम विलास पासवान (हाजीपुर) : अध्यक्ष महोदय, ता० 24 तक पार्लियामेंट है, हम लोग रात भर बैठने के लिए तैयार हैं । मैं आप का कोई बिजनेस डिस्टर्ब नहीं करना चाहता, आप से इतना ही आग्रह है कि आप आज मॉटिंग बुला लीजिए । हम लोगों की जो फ़ॉर्लिग हैं उस को सुन लीजिए और दूसरे पक्ष के लोगों की बात भी सुन लीजिए ...

अध्यक्ष महोदय : आप तो बिजनेस एडवाइजरी कमेटी में रहते हैं ।

श्री राम विलास पासवान : दो-तीन बार से नहीं रहता हूँ । हम रहते तो खूटा गाड़ देते ।

अध्यक्ष महोदय : ठीक है, वहाँ आ जाइए । यह कमेटी आप की है ।

SHRI MADHU DANDAVTE: (Rajapur) : We have agreed to the suggestion. Let them meet at your Chamber and decide what is to be done.

अध्यक्ष महोदय : मुझे कोई ऐतराज नहीं है । मैं तो यह चाहता हूँ कि हाउस का समय इस तरह से उगादा जाय न किया जाय । लेकिन ये राजाना ऐसा करते हैं । मेरी समझ में नहीं आता है, अगर बात

इतनी ही है कि प्रखबार में नाम छपवाना है, नब ठीक है ।

श्री हरिकेश बहादुर : अध्यक्ष महोदय, एक तान्त्रिक ने ऐसा कहा है, वसा कहा है - एक माननीय सदस्य ने इस को उठाया है । प्रधान मंत्री के खिलाफ अनर्गल बातें कही जाती हैं और फिर सरकार का तरफ से स्टेटमेंट भी दिया जाता है - मैं चाहता हूँ कि इस पर भी बहस हो ।

श्री रशोद मसूठ (सहारनपुर) : श्री आर० वी० स्वामीनाथन साहब के खिलाफ मैंने जो प्रिविलेज का नोटिस दिया था, आप की तरफ से मेरे पास जवाब आया था और मैंने फिर अपनी तरफ से जवाब दिया है । इस के बारे में आप की तरफ से अभी कोई फंसला नहीं हो रहा है ।

अध्यक्ष महोदय : वह नियम 115 में आयेगा ।

श्री हरिकेश बहादुर : एसेन्शाल सर्विसिज पर जो बहस हुई थी और उस पर माननीय मंत्री जी का जो बयान आया था, मैं चाहता हूँ कि उस पर भी बहस की जाय ।

अध्यक्ष महोदय : मुझे तो जो बिजनेस एडवाइजरी कमेटी कहेगी, वही करूँगा ।

श्री मनोराम बागड़ी (हिसार) : अध्यक्ष जी ।

अध्यक्ष महोदय : अब क्या कसर रह गई है, साहब ।

श्री मनोराम बागड़ी : अध्यक्ष जी, मुझे थोड़ी सी नकलीफ है, वह मैं आप से अर्ज करूँगा । यहाँ कार्यपद्धति की जो बात हुई है उसका आप ने अपने ऊपर ले कर अच्छा नहीं किया है...

अध्यक्ष महोदय : कौन सी बात ?

श्री मनीराम बागड़ी : आप से क्या झगड़ा था। "डण्डे से करवा रहे हो" — ऐसा कहना आप की शान के खिलाफ है। आप चाहें तो हम इस्तीफा लिख कर दे देते हैं। जब लोग मरते हैं तो इस तरह की बात उठानी पड़ती है। मैं तो इन को बधाई देता हूँ और विरोधपक्ष को कमजोर समझता हूँ जो ऐसे सवाल को नहीं उठाते हैं और कानूनी नुकते में चले जाते हैं। मैं उस कांग्रेस वाले को बधाई देता हूँ जिन ने इस मुद्दे को यहाँ पर उठाया है ...

अध्यक्ष महोदय : बागड़ों जो, मैंने यह नहीं कहा है

श्री मनीराम बागड़ी : हम से अगर आप को नाराजगी है तो सफेद कागज पर इस्तीफा ले लें।

अध्यक्ष महोदय : आप ने समझा नहीं है।

श्री मनीराम बागड़ी : और हरिजन का सवाल आये और कांग्रेस वाला उठाये तो उसे क्रेडिट क्यों नहीं देंगे।

अध्यक्ष महोदय : मैंने यह कहा है कि जब मैं इनकी कन्सेन्स को मानते के लिए तैयार बैठा हूँ तो फिर यह डण्डा क्यों है ?

श्री मनीराम बागड़ी : आप से कौन कह रहा था, बात तो शासन की थी।

अध्यक्ष महोदय : रोज होता है।

श्री मनीराम बागड़ी : आप आजमा कर देख लें। अभी इस्तीफा लिख कर दे देते

अध्यक्ष महोदय : मैं तो आप सब को सैल्यूट मारता हूँ।

श्री मनीराम बागड़ी : फिर ऐसा क्यों कह रहे हैं ?

अध्यक्ष महोदय : जब आप के पास दूसरे तरीके से करने का साधन है तो ऐसा करने का क्या फायदा है। आप के पास विजनेस एडवाइजरी कमेटी है उसमें रखिए।

श्री राम विलास पासवान : अध्यक्ष महोदय, मैंने काल एक नोटिस दिया था

अध्यक्ष महोदय : आप विजनेस एडवाइजरी कमेटी में क्यों नहीं रखवाते हैं ?

श्री राम विलास पासवान : मैंने प्रिवलेज का नोटिस दिया था। आप ने कहा था कि फेक्ट्स मंगवा रहे हैं।

अध्यक्ष महोदय : फेक्ट्स मंगवा रहा हूँ, फिर इस में क्या झगड़ा है ?

श्री राम विलास पासवान : सारे झगड़े की जड़ तो यही है।

MR. SPEAKER: That is already done. I have already done that.

इस में मैंने एक मिनट भी देर नहीं लगाई है। इस तरह की बातों से मेरी सेहत पर कौन सा असर पड़ता है।

श्री हरिनाथ मिश्र।

SHRI HARINATHA MISRA: Sir, after listening to the statement made by the hon. Minister of Commerce with the attention it deserved, although I could not hear every word that he had uttered. Fortunately for me a copy of the statement has been made available just now.

संसदीय कार्य तथा निर्माण और आवास मंत्री (श्री भीष्म नारायण सिंह) : अध्यक्ष महोदय, अब इतने सत्र में दो दिन का समय बच गया है और काम काफी है इसलिए मरा अनुरोध है कि लंच का डिस्पेंस-विद कर दिया जाए ।

MR. SPEAKER: No lunch hour today. I think, the House agrees with that.

SOME HON. MEMBERS: Yes.

SHRI HARINATHA MISRA: Sir, I would like to take up the earlier events which occurred in Australia before I come to the subsequent issues. The Minister has also referred to it in his statement and, *inter alia* he has said:

"Prior to the action of the U.K. Government, the Australian Government had also warned the consumers that certain wound dressings exported from India were contaminated and should be burnt. One Indian exporter M/s. Jayer Exports Calcutta, had been identified by the Australian authorities."

As far as I am aware, in early September, 1981 the Australian authorities detected contamination in the consignments of surgical bandages exported from India and the tests were carried out at the National Biological Standards Laboratory, Australia. Since the surgical dressings were capable of producing serious human infections, the Australian authorities took steps to recall and destroy all the suspected bandages.

Subsequently, in the latter half of December, 1981, further instances of surgical dressings manufactured in India, Taiwan and Thailand were found to be contaminated with bacteria. Since early September, 1981 to the latter half of October, 1981, roughly the period is estimated to be 1-1/2 months. A number of relevant

questions arise. When did the Government come to know about the distressing happenings in Australia first? Obviously, the representatives of the manufacturing firms as also exporting firms must have known about the developments at the earliest possible moment. Did they take the Government of India and particularly, the Government of West Bengal, into confidence and, if so, when and what action was taken after that? If they failed to do it and did not inform the Government, again, what actions were taken against them? Was it not the duty of our High Commissioner in Australia at least to send a cablegram about the distress happenings in Australia? Did he do it?

12.46 hrs.

[**MR. DEPUTY SPEAKER** in the Chair]
It has been stated in the reply:

"Manufacture and quality control of surgical dressings is governed by the provisions of the Drugs & Cosmetics Act, 1940 and the rules framed thereunder. Control over the manufacture and sale of drugs (including surgical dressings) is exercised by the State Governments, and each State has a State Drugs Controller along with Drug Inspectors and other staff for enforcing quality control disciplines and also for granting and renewing drugs manufacturing licences."

Fortunately for me I have gone through the relevant provisions of the Act, and I find that, in the said Act, namely, the Drugs and Cosmetics Act, 1940, section 79—'Conditions of Licence'—reads as follows:—

"The licensee shall provide and maintain adequate staff and adequate premises and plant for the proper manufacture and storage of the substances in respect of which the licence is issued."

There are a number of other conditions. Again, section 80—Report by Inspector—reads:

"The Inspectors shall forward to the licensing authority a detailed descriptive report of the result of the inspection."

Section 81—Procedure of Licensing Authority—reads:

[Shri Harinath Mishra]

"If the licensing authority, after such further enquiry, if any, as he may consider necessary, is satisfied that the requirements of the Rules under the Act have been complied with and that the conditions of the licence and the Rules under the Act will be observed, he shall issue a licence in Form 28."

In view of the provisions quoted above, it would be only proper to enquire from you, since you are replying on behalf of the Health Ministry also, as to what are these conditions and how many these conditions were fulfilled by the applicant before he was granted the licence? Who was the inspector or who were the inspectors and what was their "detailed report". Certainly, before the licence was issued, an inspector or some inspectors were to visit the premises in order to examine whether the conditions were being fulfilled. . .

MR. DEPUTY-SPEAKER: Please try to conclude.

SHRI HARINATHA MISRA: I have just stated.

MR. DEPUTY-SPEAKER: You have already taken 12 minutes. The time allowed in only three minutes, lest you should be quoted by some other Members, I am telling you. You are in the panel of Chairman; you know the rules. . .

SHRI RAVINDRA VARMA (Bombay North): He gets an opportunity very rarely.

MR. DEPUTY-SPEAKER: I know why you are supporting him. He is in the panel of Chairman.

SHRI HARINATHA MISRA: It is much too important an issue. I am building up my case. As I had been telling you, a thorough investigation was to have been conducted by one inspector or a number of inspectors.

Lastly, after the regrettable incidents in Australia when all the surgical ban-

dages that had been exported to that country were not only banned but burnt, another inspection was made and the bandages were found to have been contaminated. I would like to know whether during the intervening period any thorough inspection was also made and if so by whom and with what result.

In section 85, under the heading—*Cancellation and Suspension of licences*, it has been observed:

"The licensing authority may, after giving the licensee an opportunity to show cause why such an order should not be passed, by an order in writing stating the reasons therefor, cancel a licence issued under this Part or suspend it for such period as he thinks fit, either wholly or in respect of some of the substances to which it relates, if, in his opinion, the licensee has failed to comply with any of the conditions of the licence or with any provision of the Act or Rules thereunder."

Now, I need not go into details; today I learnt that whatever licences the manufacturing firm had have been cancelled. Is it not a fact that only a few days ago. This was not the position—only the licence for exporting surgical dressings had been suspended so far as the exporting firm was concerned. Perhaps this was done after that deplorable and shocking incident which has taken place in UK? I repeat, will the Government inform the House whether or not it is a fact that so far as the manufacturing firm was concerned, nothing whatsoever was done until a few days ago?

I now turn to what happened in UK and what action has been taken by the UK Government. In order to present a realistic, fuller and shocking picture, I would like you to permit me to read an extract from the news item which has been flashed through the country. It reads like this:

"The British Health authorities have asked chemists, stockists and hospitals in the country to burn immediately all first-aid dressing material received from India because they were infected with botulism, gangrene and tetanus."

Proceeding further, it has been stated:

"As it is, Indian goods are already treated with suspicion. The bad publicity which these Indian concerns have got in British newspapers, radio and television has further damaged the reputation of Indian manufacturers.

Other European countries may also now alert their importers to be careful of Indian goods, whatever they may be....

13 hrs.

"Only recently Indian cotton had received a very bad publicity here. Significantly, Britain and E.E.C. countries are already thinking of reducing their quota of Indian textiles to boost their own industry. The latest bad publicity would make European textile manufacturers cautious of Indian goods."

Considering the entire episode—I am concluding because you ask me to hurry up—since the first week of September, I feel strongly that, had the State Government concerned not been indifferent to the shocking incidents that were taking place in Australia, this uglier development that has taken place due to the action of the U.K. Government would have no occasion to occur.

The crimes committed by a number of firms whether they be for manufacturing of drugs and surgical bandages or the exporters' firms are no longer the concern of some State Governments or the Ministry of Health and Commerce here. They are now the concern of the entire nation because, in my considered opinion, the

nation's vital interests have been badly marred and damaged.

Sir, now, the exported goods from India into the world market in the teeth of keen competition, have lost their credibility to a large extent and, as such, we appear to be losing, maybe for a long time, some of the fruitful sources of earning foreign exchange for our country.

Furthermore, what is more distressing, the good name and image of our mother country, India, has not only been mauled but, perhaps, irreparably tarnished.

Towards the end of the reply it has been stated:

"Government of India have on November 27, 1981, issued an amendment to the Exports Control Order, 1977, providing that export of surgical dressings from India would be allowed only subject to the production of a certificate to the effect that every batch of the surgical dressings is of sterile quality and has been tested and found to be of standard quality. The certificate should be from an institution approved under the Drugs and Cosmetics Rules, 1945."

Now, Sir, may I know when and where the need for this amendment was found to be necessary? Whereas this Drugs and Cosmetics Act 1940 is applicable for the entire field whether the goods are consumed within this country or are sent out as exports, the amendment has been made applicable only so far as our exports are concerned. May I know what preventive and coercive measures will be taken in order to check the crime within the country. Are we to understand that the Indian patients who may be under treatment in the various hospitals (whether Government or Private) are being treated as out-door patients, are so many guinea-pigs, completely at the mercy of these manufacturers who are out to make money at any cost, by means, fair or foul?

In these circumstances I very strongly feel that for once the Government ought to be firm and if necessary, ruthless to black-list all the firms which have been indulging in this sort of practice, whether they are exporters or manufacturing firms.

Secondly, there are officials entrusted with effective supervision of firms, both for manufacturing and exporting of goods, whether at the State level or at the Union level. The concerned officials must be brought to book, and punished promptly and adequately for dereliction of duty or complicity. Deterrent action is a must in such cases, so that nobody, no business firm, will in future, try to feather his or its own nest, at the cost of the national interest and national image. These are my humble but considered suggestions.

SHRI KHURSHEED ALAM KHAN:

I appreciate the deep concern expressed by the hon. Member. It is a fact that bad publicity is there as far as we are concerned. But I would like to assure the hon. Member that our High Commission in Australia was quite prompt in intimating about this incident. This information was sent well in time. Similarly the information from our permanent mission in Geneva was also received by the Health Ministry about this matter. On the basis of this information immediately action was started. We also have been in cooperation with the Australian Trade Commission. On the 9th September information was wanted regarding the names of the importers in his country who had imported from India particularly from Messrs. Mayer and company surgical dressings and other materials. We furnished all the necessary information to them. On the basis of that information they could trace out importers in their country and withdraw all the materials that they had for destroying.

As regards the action taken against the manufacturers and Messrs. Mayer and company, I want to assure the

hon. Member that action was taken before the information regarding U.K. was received. Mayer Exporters have been prevented immediately from exporting anything. Similarly, against the manufacturers, I can assure him that action was taken against Messrs. Sujit and company of the 24 Parganas, West Bengal. Their licence for manufacturing the material required to be sterilised was cancelled, and their other licences have been suspended. An enquiry is being conducted. Here I would like to mention that no doubt the drugs and Cosmetics Act, 1940, is a Central Act. But its enforcement is the responsibility of the State Governments and each State Government has got its own Drug Controller and therefore when this information was received by us, by the Drug Controller of India, this was immediately passed on to the Drug Controller of West Bengal with instructions that immediate action should be taken and deterrent punishment should be given to those people who are found responsible for this contamination. On the basis of this, samples were drawn from the exporter as well as from the manufacturers, 9 samples were drawn and they were tested. Out of the 9 samples that we tested, 7 were found to be contaminated and therefore this action was taken.

Now, as regards bad publicity, I quite agree with the hon. Member. But there is no effect of this on our textile quota or other exports and we have not received any complaint on this account. Now, the Drug Controller is responsible for issuing the licences and the conditions for issuing the licences are broadly:

(1) maintenance of hygienic and adequate premises for the manufacture of various categories of drugs intended to be manufactured;

(2) employ adequate qualified technical personnel to supervise the manufacturing operations, maintain necessary equipment and appliances

required for manufacture of drugs; and

(3) possess necessary facilities for testing the raw material used for the manufacture and for every type of the drug manufacture, the testing unit should be independent of the manufacturing unit.

Now, M/s. Sujit Company had their own testing Laboratory. It is a fact when this was inspected by the Inspector of the Drug Controller of West Bengal, he did not find the thing according to the standard required.

AN HON. MEMBER: It is at the time the licences were given,

SHRI KHURSHEED ALAM KHAN: At the time the licences were given, the factory and the premises were also inspected by the Inspector of the Drug Controller and unless his report was satisfactory, the Drug Controller, West Bengal, would not have given the licence. Besides for a long time, M/s. Jayer Exporters have been exporting, for the last 5 or 6 years and this is the first time that that sort of complaint has come to the notice of the Ministry of Commerce and the Ministry of Health and we have immediately taken action and alerted all the Drug Controllers in various States with instructions that all the conditions of the licences should be enforced and it should be seen that they are strictly according to the conditions of the licence. Otherwise, it will not be possible to allow them to manufacture these articles.

SHRI INDRAJIT GUPTA (Baserhat): If I am not mistaken, these dressing materials are supposed to be applied to open wounds and they were found contaminated which could cause gangrene and tetanus. These people should be treated as criminals. What is the use of suspending their licences?

SHRI KHURSHEED ALAM KHAN: Under the rules the licences can be cancelled and suspended and at the same time there is a provision for

instituting legal proceedings also and nobody will escape the hands of the law.

SHRI MANORANJAN BHAKTA (Andaman and Nicobar Islands): Sir, I was listening to the reply of the hon. Minister, who has very correctly appreciated the concern of the hon. Members on this issue. At the same time, may I point out that there is a contradiction in his statement. While the U.K. Government have banned the dressing material exported from India, he says that there would be no bad impact on the export of our textiles. I think, this is a contradictory statement.

The Government has not come out with a detailed statement. The subject is very important and it is necessary that more information should have been given to the House. When did this matter first come to the notice of the Government and what action was taken? After taking certain action by the Government, was there any repetition of this type of exports? All this should have been submitted to this House, but it was not done.

I would also like to draw the attention of the Government to another very grave situation. The material which is intended for export is supposed to be a good material. If this is the condition of that material, what about the material used inside the country? That would obviously not be upto the required quality. The U.K. Government have banned certain dressing material because they found that it contained germs of gangrene and tetanus etc. In our country, in the various hospitals and dispensaries and other places, such material is being used. Has the Government picked up some samples of this material in the country and undertaken an examination thereof? Was it analysed in any laboratory? If so, what was the result thereof, and what action, if any, have the Government taken subsequently within the country? This is a very important question and the Government must satisfy this House and the country that they have taken the required action.

[Shri Manoranjan Bhakta]

The hon. Minister has mentioned the name of just one Indian exporters, Messrs. Jayer Exports, and one manufacturer Messrs. Sujit and Company. Messrs. Jayer Exports are the exporters. Is there only one manufacturer of this material, or are there many other manufacturers also? Have the Government examined samples from the various manufactures of this material? Another question is, whether it is because of some conspiracy on the part of some business competitors that such things are happening. The Government must come out with details, how many manufacturers of this material are there, and whether the materials manufactured by them have been tested or not.

In this connection the question of the functioning of the Export Promotion Councils is also very relevant. These Councils are the organisations of the Ministry of Commerce. There is an allegation that one Director of the Council himself is involved in clearing certain sub-standard materials going outside the country, and some investigations are going on against him. If it is so, the Ministry may kindly enlighten the House about the facts of this matter.

Further, I would like to know, if these materials were according to the ISI specifications. All the material meant for exports has to be a material of good quality. Even if the material is according to the ISI specifications, is there any regular inspection by the Export Promotion Council to ensure strict quality control? I would like to know, whether these material about which this charge of contamination has come out were having the ISI mark, and whether these were cleared by the Export Promotion Council after an inspection. If all this was done and even thereafter the materials have been found contaminated, will the Government take action against all the agencies involved, who inspected and cleared the material? These are some of the basic questions which I would like the hon. Minister to answer.

SHRI KHURSHEED ALAM KHAN:

In the first instance, I would like to submit very humbly to the hon. Member that there has been no contradiction in my statement. The textile industry has not suffered on this account in any way. As regards the number of exporting concerns, they number about 40 in this country. While I read out the conditions of licences, it was clearly mentioned there that these manufacturing concerns will have their own testing laboratories, with the necessary, qualified staff. In fact, it is an in-built sort of arrangement, where the testing has got to be done. The question of ISI markings does not come here, nor is any Export Promotion Council responsible for testing or inspection of this. The Export Promotion Council, by its very name as the hon. Member knows, is for export promotion, and not for inspection. They have got no such right to inspect. Inspection is done according to the rules and regulations provided in the Drug and Cosmetic Rules 1945, viz. that they have to keep a laboratory of their own, and in that laboratory, they have to do the testing. As a matter of abundant caution, what has been done is that the Drug Controller of India has issued instructions for collecting samples from manufacturers in order to test them and find out whether they are contaminated or not. And special instructions have also been issued to all the manufacturers to adhere strictly to the conditions of their licences, and the conditions laid down for their guidance.

SHRI MANORANJAN BHAKTA:

My first question which is more important, has not been replied to. It is about domestic consumption—whether the materials used in all the hospitals and dispensaries are contaminated or they are good materials; because our export material should be of better quality, only inferior quality items are used in the country.

SHRI KHURSHEED ALAM KHAN:

I mentioned that samples had been collected, whether they were for do-

mestic or foreign consumption. They are being tested for this purpose, in order to ensure that they are of good quality.

SHRI MANORANJAN BHAKTA: In the meantime, their use should be stopped.

MR. DEPUTY-SPEAKER: Only after testing.

SHRI KHURSHEED ALAM KHAN: After testing, if they are found to be contaminated, they will be stopped. Otherwise if everything is stopped, what will the doctors use?

SHRI B. V. DESAI (Raichur): The subject of the Calling Attention has been dealt with by the hon. Members and the Minister concerned quite in detail. The only question which now remains is whether Government is really particular about the quality control of items, whether they are meant for export or for internal consumption. In fact, I may just mention some of the items which have been rejected by foreign companies—not only these surgical bandages and other drugs, but commodities also have been rejected outright by foreigners.

In fact very recently I have been to Kuwait, wherein I found that the Engineering Projects of India had exported steel from India—not from any private concern, but from the Steel Authority of India; and the consignment was outright rejected. It was lying there; and they were trying to sell it in the open market somehow or the other. In the same way, a whole lot of cement was rejected by them. So, it is so not only with regard to drugs. We are very much concerned with drugs and bandages because they have a direct effect on the human body.

Mr. Indrajit Gupta suggested not only the suspension or cancellation of licences, but also that criminal action should be taken against the offenders, not only for export misuse, but also for supplying them for internal consumption. But apart from this, there is the perspective of quality control

which can be transferred very conveniently either by the Central Government to the State Government on the plea of its being a State Government subject or *vice versa*. So, the sufferer will be the consumer, whether he is in India or outside. Because India has a huge population, nobody knows where these bandages or drugs go or where any other commodity will go. But when it is in a foreign country, naturally we find ourselves very difficult to press through. In fact, what the hon. Minister said that the observations of different governments in certain commodities will not affect our other exports is not correct. In fact, it is an image of a country, so far as the export is concerned; and any observation, bad, malpractice and so many others, underquality supply of the goods will definitely affect our export of other commodities. Therefore, I would like to know what strict measures the Government is undertaking regarding the quality control not only in this commodity but in other commodities also because it is the concern of the hon. Minister and the Department. The hon. Minister did not reply to the concerned item which was supplied to U.K., Australia and Singapore. He has only mentioned the names of Joy Export and Surjeet Company. As far as the material which has been supplied to U.K., Australia and Singapore is concerned, is it only by these two or others also? If other companies are involved, I would like to know what action they have taken on that?

SHRI KHURSHEED ALAM KHAN: In the first instance I would like to mention that the hon. member instead of asking a specific question about this particular issue has raised the question of pre-shipment inspection. I would not like to go into those details, but here I would like certainly to mention one thing. In 1979-80 about 2.07 lakh export inspections for pre-shipment were done and only about 312 were found which were not fit for export purposes. So, it would be appreciated that a large number

of inspections have to be done in which few items are found to be not fit for export. Then it cannot be a sort of general statement that this is going to affect all our export items.

Then the hon. member wanted to know the names of other manufacturers. There are three more names. They are: M/s. Basirhat Weaving Industries, Joy Industries and Auro Impex Private Ltd. Out of these also, M/s. Basirhat Weaving Industries has been closed. So, we could not draw up samples from them; from others, samples have been drawn up. The third one has not manufactured anything. But in any case, as I have mentioned earlier, the samples are being drawn up from all over the place in order to test. So, no manufacturer will escape; his sample will be inspected and certainly they will be seen whether they are bacteria free or not bacteria free.

His suggestion is that this inspection should be done. This is not the responsibility of the inspecting agencies because they are not qualified and well equipped for this purpose, particularly when there is an inbuilt provision of inspection and testing in the premises of the manufacturing factory itself. Therefore, it does not seem necessary that this should be inspected by the inspecting agency which has neither the competence nor the necessary equipment to do it. Besides, it is the responsibility of the Drugs Controllers of the various States to see that the provisions regarding inspection of manufacturers as laid down in the rules are adhered to; and I am sure with this it will be possible to ensure that in future such things are not reported.

SHRI GADADHAR SAHA (Birbhum): The subject of today's calling attention is the reported banning and burning of India first aid dressing material by the Governments of United Kingdom and Australia and its adverse effect on the export of Indian goods.

It is found that these are contaminated with bacteria which may cause tetanus etc. It also appears that in a joint statement, the seven Australian Governments also described the contaminated items as including roller bandages, absorbent gauze, lint, wound dressings, triangular bandages, absorbent cotton wool and x-ray detectable swabs. So, it is not only the surgical dressings but the contaminated items included other things also. It is also reported that in Singapore the dressing materials supplied by India were condemned. This Government rejected the surgical bandages earlier. So, this sort of practice by India manufacturers and exporters has brought down our good name and reputation and brought a bad name for our Government. In view of this, may I know what action Government propose to take to stop the manufacture and export of all contaminated goods and confiscate those stocks, so that they may not find a way into the domestic markets? May I know whether the Ministry is aware that an investigation had been started by the Singapore Health Ministry with a view to withdraw all stocks of Indian bandages from their medical shops, whether the same type of bandages were found recently by the Australian Health Authorities to be contaminated with bacteria and what is the loss in foreign exchange due to the rejection of these infected articles or withdrawal of these stocks of dressings, bandages and other materials? In view of this sort of crime what is the Government's action proposed for deterrent punishment of the Indian manufacturers and exporters in addition to cancellation, suspension of licences and exports.

SHRI KHURSHEED ALAM KHAN:

The hon. member has almost repeated the questions of the previous members and the reply has already been given assuring that deterrent action will be taken in every case where it has been found that the material is contaminated or is not up to the standard. Special precautions have been already taken and the Drug Advisory Body, which is a statutory body, has appointed a sub-committee to look into

this matter and give their recommendations to the Government regarding the standards to be followed for dressing materials and other equipment necessary for wound dressing.

As regards information from UK, I would like to mention here that the latest telex that we have got from our High Commission mentions that the Health Minister of UK made a statement in the British Parliament where he has not mentioned the name of India, but he has said that such dressings have been found. It has also been mentioned by him in his statement that the contamination in the dressing is small. So, I think, we should not jump to the conclusion and think that all that has been produced in this country, will produce gangrene or tetanus because normally gangrene and tetanus are such kinds of infections which have to be taken care of and one must be very cautious about them. But from this statement it appears that they are not very sure that the contamination that was detected in the dressing there was really of this nature which could have produced this kind of infection.

As regards the conditions and other things, I have already mentioned in reply to the previous hon. Member's question and I suppose, this is what I could say on this.

SHRI INDRAJIT GUPTA: Who will pay for this consignment?

SHRI KHURSHEED ALAM KHAN: The total export for this kind of material is about Rs. 2 crores. Out of this, this is a very negligible amount.

SHRI INDRAJIT GUPTA: Have the consignee paid for it? Who will compensate them? Can you shell out?

SHRI KHURSHEED ALAM KHAN: How can we shell out?

SHRI H. N. NANJE GOWDA (Hasan): From the statement of the Mini-

ster I understand that the West Bengal Government has already cancelled the manufacturing licence of the firm. Why not the Commerce Ministry cancel the export licence? Why should they suspend it? They should take severe action. Is the Government going to cancel the export licence of this firm? In UK they have burnt the infected material. What about the infected material which has been supplied by this firm within the country? Is the Government going to take similar action here also? Has UK or any other country officially communicated about this thing or is it known through the press? The export is canalised through the Commerce Ministry. Quality control lies with the Health Ministry. In order to have better co-ordination, can both the things be brought under one Ministry? What does the Government propose to do in this regard? Does the Government propose to bring such an offence under the Penal Code? If they are doing it, when will they do it?

SHRI KHURSHEED ALAM KHAN: The hon. Member's first question is whether we have got this information through the press or officially also. I have already mentioned that we have got the information from our High Commissions in UK and Australia. And they got the information from the Foreign Ministry of the UK Government. Subsequently, we also got this information from the press.

As regards the coordination between the Health Ministry and the Commerce Ministry, as soon as we got this information, a joint meeting of the representatives of two Ministries was called and action was taken that no export would take place without a special certificate to be issued by a qualified laboratory. In the meanwhile, the Drug Controller of the Health Ministry issued instructions to various Drug Controllers of the States to take stern action in this matter and ensure that the quality control is observed. The co-ordination is there. There is no difficulty. As I said in the beginning, there is a built-in condition

[Shri Khursheed Alam Khan]

of instructions, as far as surgical dressings and other materials are concerned, because each manufacturer has got to maintain a well equipped laboratory for testing. The administrative control and enforcement of the rules and regulations have to be done by the State Drug Controller and his Directorate.

13.40 hrs.

STATEMENT RE: ACCEPTANCE BY INDIA OF AGREEMENT ESTABLISHING COMMON FUND FOR COMMODITIES NEGOTIATED IN UNCTAD.

THE MINISTER OF COMMERCE AND STEEL AND MINES (SHRI PRANAB MUKHERJEE): Primary commodities play a vital role in the economies the developing countries. They account for bulk of their export earnings. Internationally, market structures are however the weakest for commodities. The prices of most commodities are not only unstable but also remain depressed. Developing countries generally have no control over their processing and marketing.

During UNCTAD-IV in 1976 in Nairobi a major initiative was taken to deal with the problems of commodities when an integrated programme for commodities was adopted. The objectives of the programme include achievement of stable conditions in commodity trade; and improvement and sustenance of the real income of developing countries through increased export earnings.

The Integrated Programme covers eighteen Commodities and includes a number of commodities of significant interest to India e.g., coffee, cotton, hard fibre and products, iron ore, jute and products, sugar, tea and vegetable oils. The programme envisages a series of international negotiations on individual commodities with a view to reach agreements on specific international measures.

The key element of the integrated Programme is the Common Fund to finance price stabilisation as well as other measures. After protracted negotiations under the aegis of UNCTAD the text of the "Agreement establishing the Common Fund for Commodities" came to be finalised in June, 1980. The agreement would enter into force after ratification or acceptance by 90 States accounting for at least two thirds of the Fund's directly contributed capital.

The agreement envisages that the Fund shall be divided into two Accounts. The First Account is to be used for financing of buffer stocks within the framework of international commodity agreements. The Second Account is intended to promote commodity development measures, such as research and development, productivity improvements, marketing etc.

The Fund will have a directly contributed capital of approximately US 470 million. Out of the directly contributed capital of US\$ 470 million, and amount of US \$ 400 million would be for the First Account and remaining US \$ 70 million for the Second Account. The Second Account would be further supplemented by voluntary contributions for which an initial target of US \$ 280 million has been set.

Out of the directly contributed capital of about US \$ 470 million, India's share works out to US \$ 2.44 million. In addition India has also made a commitment for making a voluntary contribution of US \$ 5 million for the Second Account.

The agreement breaks new ground in international support for dealing with the problems confronting developing countries.

The benefits to be derived by India and other developing countries from the establishment of the Common Fund would depend upon the successful conclusion of the negotiations for international commodity agreements or bodies. It is hoped that the establishment of the Fund would provide impetus to these efforts.