

as assured and it should be specific. (*Interruptions*)

SHRI MOTI LAL VORA : As I have said, the task force has recommended upgradation of various specialities/departments. This is going to be implemented in the Eighth Five Year Plan.

Supply of Spurious and Substandard Sterilizing Agent to Government Hospitals

*6. **SHRI E. AYYAPU REDDY:** Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Central Drugs Control Authorities have unearthed a large scale racket in which distributor of a pharmaceutical company made lakhs of rupees by supplying a spurious and sub-standard sterilizing agent to Government hospitals in the State of Tamil Nadu;

(b) if so, the details thereof; and

(c) whether any persons were arrested in this connection and if so, the follow up action taken in the matter?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI MOTI LAL VORA) : (a) to (c). A Statement is given below:

STATEMENT

On receipt of information that M/s. Aekay Pharmaceuticals, Madras was indulging in clandestine manufacture and sale of 'Lysol' to Government Hospitals in Madras, the Central Drug Inspector, South zone, Madras raided the premises of the said firm on 5.9.1988. Preliminary investigations have confirmed that M/s. Aekay Pharmaceuticals, who have only a Wholesaler's Licence were manufacturing Lysol without a Manufacturing licence. Investigations have further revealed that the firm had purchased only 15,000 litres of Lysol I.P. from M/s. Bengal Chemicals and Pharmaceuticals

Ltd., Calcutta but had supplied 70,000 litres of Lysol to various hospitals in Madras.

The Drugs Inspector immediately seized the blank labels found in the premises as well as stocks of Lysol available in the premises, Jerry cans, caps and other material used for clandestine manufacturing of the drug. As per the procedure laid down, samples of Lysol were sent for testing to the Central Drugs Laboratory, Calcutta on 15.9.1988. The test report has been received by the Deputy Drug Controller, Madras on 31.10.1988, confirming that the samples are not as per standard specifications, because of the presence of alkalinity and lesser content of cresol.

The Deputy Drug Controller, South Zone, Madras who is the Controlling Officer is now taking steps to launch prosecution against M/s. Aekay Pharmaceuticals Ltd, Madras under the relevant provisions of the Drugs & Cosmetics Act.

The State Drugs Authorities have been advised to suspend the wholesaler's Licence held by M/s. Aekay Pharmaceuticals Ltd., Madras pending completion of investigation and formal launching of prosecution.

Soon after the premises were raided by the Central Drug Authorities, a letter was addressed to the Assistant Commissioner of Police (Crime Branch) informing him of the illegal activity of the firm and requesting him to take necessary action in the matter under the Criminal Law. No arrest has been made by the Police so far.

SHRI E. AYYAPU REDDY: This is only a tip of the iceberg. The spurious drugs have assumed threatening proportions to the health security of India. The hon. Minister certainly knows that the consumption of drugs has increased by more than 500 per cent during the last decade. But with regard to the infrastructure which is available now both at the central as well as state levels for detecting spurious drugs, it has remained constant. It has not been increasing commensurate with the consumption of drugs.

The net result is that it has become quite easy for drug pedlars to pass off spurious drugs as in this case. In this case, he brought 15,000 litres of disinfectant while admittedly he sold about 70,000 litres of this material to Government hospitals in Madras. That means, a quantity of 55,000 litres or more than three times the quantity he bought, he was himself illicitly manufacturing. That is what he has disclosed. Will the hon. Minister assure us that he will constitute a special task force to detect cases of spurious drug manufacturing and its distribution and what has been the increase in the infrastructure for vigilance on this aspect during the last five years?

SHRI MOTILAL VORA : As far as this question is concerned, M/s. Aekay Pharmaceuticals of Madras had a licence to sell drugs in wholesale. And they bought only 15,000 litres of Lysol from M/s. Bengal Chemicals and Pharmaceuticals Ltd. during the period 1.3.1988. They manufactured 70,000 litres of lysol over the level of Bengal Chemicals. That was detected. After detection the Central Drug Inspector enquired into it. We have received test report only yesterday. We have directed the Central Drug Inspector there to recommend suspension of licence and take necessary action. It is for the State Government to take action against them. From our side, we have advised the State Drug Controller to suspend the licence and to take necessary action for prosecution against this firm.

SHRI E. AYYAPU REDDY: The consumption of drugs has gone up by 500 per cent whereas the infrastructure for the purpose of detecting various spurious drugs remains constant over the last five years. I have asked whether the Government is prepared to assure us that they will constitute a special task force for the purpose of going into and detecting spurious drugs, whether they are going to increase the task force and whether they will review as to how many cases have been detected, prosecuted and guilty persons punished and convicted?

SHRI MOTI LAL VORA : I have taken

note of what the hon. Member has said. Since the number of cases of drug abuse are on the increase and spurious drugs are also being supplied, we will definitely increase the task force and we will take necessary action and see what is the actual requirement in the State and how we can control these spurious drugs.

SHRI E.AYYAPU REDDY: Sir, this Act has two enactments — one was passed in 1940 and the other in 1950. The answer woefully reveals that the guilty person has not been arrested so far. They have informed the police there and have asked the police to arrest him. Then, his licence has not been suspended because the regional authority has been requested to suspend the licence. That means, the Task Force or the Central investigating agency is not powerful or has not the authority to arrest, suspend and charge-sheet him. Under the Act, the Inspector is entitled to charge-sheet. Is he not entitled to arrest him? Is he not entitled to initiate proceedings against him? so, will he take steps to see that the Act is reviewed and re-amended to suit the demands of the times. For instance, only the Inspector is entitled to prosecute the offender under the Act; the aggrieved party or the person who has suffered on account of these drugs is not authorised to prosecute the offender, the guilty person. So, he is helpless. The dichotomy or the trichotomy in these forces, that is, the Regional Drugs Officer, the Central Drugs Authority and the police, have to combine themselves to launch the prosecution. So, will the hon. Minister review the functioning of the Act and will he take appropriate steps to rectify the defects in the Act and enable the private persons to prosecute the accused persons?

SHRI MOTI LAL VORA : Sir, we will definitely look into the whole thing because the things are very serious also. In this case, since they have received the report only on 31.10.1988, that is, only three days before, after that we have advised the Central Drugs Inspector there to take necessary action. So, again I assure the hon. Member that we will review the whole thing and if any amend-

ment is to be made in the Act, we will come before the House.

[*Translation*]

SHRI RAM BHAGAT PASWAN: Mr. Speaker, Sir, now-a-days 'dengu' and viral fever has spread in all the colonies and all the houses of Delhi. The fever does not subside before seven days, even if one takes medicines or not. It means that most of the medicines manufactured to check this disease are spurious ones. Just now, the hon. Minister stated in the reply to the question that the Government cancels the license of the company found to be guilty of manufacturing spurious or sub-standard drugs. But I know that as a matter of course these companies are hardly detected. Even if they are detected their licences are cancelled for two days, Saturday and Sunday only. The Government detected 14 companies in Delhi which were manufacturing spurious or sub-standard drugs, but no action has been taken against any of them. A company called Gratus Farma was found involved in manufacturing spurious drugs and a patient died at the Safdarjang Hospital due to these drugs, but no action has so far been taken against the company by the Government. Hence the hon. Minister's claim that the Government takes action against companies manufacturing spurious drugs appears to be ridiculous. Having these things in view, I would like to know from the hon. Minister if the Government will take action against the companies manufacturing spurious and sub-standard drugs under the criminal procedure behind the bars so that the results of the spurious drugs could be avoided and there is no fun with the lives of people.

SHRI MOTI LAL VORA : Mr. Speaker, Sir, stringent action has been taken and is being taken against the companies manufacturing spurious drugs. I have already discussed with the hon. Member about the company he made a mention of Licence of company has been cancelled. We have also asked the Controller of Drugs to take stringent action against the company found involved in manufacturing spurious drugs. Mr.

Speaker, Sir, I would like to inform the august House that we are concerned not only for Delhi but also have directed the State Government's to take a serious view in this regard. The controllers of Drugs in the States also take action against the companies in various States which are found involved in manufacturing of spurious drugs. We take action on the basis of information we receive from the States. The hon. Member made a mention of some of the companies in Delhi. In this connection I would like to reassure that as and when we have received a complaint against any company regarding manufacturing of spurious and sub-standard drugs by it, enquiries have been made and the company has been penalized after the completion of the enquiry. So far as the question of imposing penalty is concerned, I am sure that the hon. Member will agree with me that it is the look out of the judiciary. We only prepare cases for persecution and file the suit in the courts. Imposing of penalty does not fall in our jurisdiction, it is under the jurisdiction of the courts.

[*English*]

Report on Cholera Epidemic In Delhi

*7. Dr. G. VJAYA RAMA RAO: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether Government are aware of the report brought out by a voluntary health organisation in Delhi on the recent cholera epidemic in the city;

(b) whether Government have taken or propose to take any action on the findings and observations made in the report; and

(c) if so, the details thereof?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI MOTI LAL VORA): (a) to (c). Presumably, the Honourable Member is referring to the report of the Voluntary Health Association of India on the Cholera epidemic in Delhi. A copy of the report has been procured from the Voluntary