

—Gilgit, Chitral and the Northern Agencies—were not part of Jammu and Kashmir State at all. Sir, not only are they in occupation of 2/5ths of the State; they have also made that statement which, I think, had been duly contradicted by the Government of India. It is quite clear Sir, when the State was there, when my father signed the Instrument of Accession, these areas were all part of the State. Therefore, legally and constitutionally they are part of India. So, will the hon. Minister be pleased to tell the House whether, during the negotiations with Pakistan on the no-war pact, the legal and constitutional position of those areas at present under Pakistani occupation, will also be again clarified and that we will reiterate that those areas including Hunza and Nagar and the tributaries of my father's previous State which are all part of India are also constitutionally and legally part of this country? Will this aspect be re-iterated?

**SHRI P. V. NARASIMHA RAO:** As the hon. Member has said, I have already made a very clear and unequivocal statement on the subject. Naturally our stand is firm. We are quite clear about what the position of these areas is. Therefore, when negotiations take place, when talks take place, these matters are bound to come up.

**PROF. MADHU DANDAVATE:** You cannot refer to family members in the House! (Interruptions)

**DR. KARAN SINGH:** It is a historical fact. (Interruptions)

**MR. SPEAKER:** If the Hon. Members can be present in the House he can talk.

**DR. SUBRAMANIAM SWAMY:** This is not Para Lok Sabha; this is Lok Sabha. (Interruptions).

**SHRI BIJU PATNAIK:** Will the hon. Minister take into consideration when discussing this No-War Pact with Pakistan, the question of reduction of armaments on both sides by

the super powers of the world? Today they are talking of war and these two poor countries are spending thousands of crores of rupees on various critical armaments. Would that also be taken into consideration, when deciding on the No-War Pact, so that these thousands of crores can be diverted both in Pakistan and in India, for the services of the poor?

**MR. SPEAKER:** That is a natural corollary, I think.

**SHRI P. V. NARASIMHA RAO:** I would think that the discussion referred to by the hon. Member would follow the no-war pact rather than precede it. It is just not possible to anticipate what all is going to come up for discussion. But in regard to the no-war pact there is a draft given by them; we will have to examine it fully with all its implications for the future, because we are doing it for coming generations. Having done that, when talks take place, I hope that all allied matters will come up for discussion.

(Interruptions)

दिल्ली में नकली जीवन रक्षक औषधियां बनाने वाला अर्द्ध कारखाना

\*4. श्रीमती कृष्णा साहू : क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि 24 मार्च, 1982 को दिल्ली पुलिस द्वारा पता लगाये गये नकली औषधियां बनाने वाले गिराह में शामिल व्यक्तियों के विरुद्ध सरकार द्वारा अब तक क्या कार्यवाही की गई है और नकली औषधियां बनाने वाले कारखाने से संबंधित व्यक्तियों का ब्यारा क्या है ?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (KUMARI KUMUDHEN M. JOSHI): In the course of their investigations into the spurious drug racket unearthed by them on 24th March, 1982, the Delhi Police have arrested:—

(1) Shri Pradeep Kumar, s/o Shri Raaghu Nandan Prasad, Jassipura, Ghaziabad, Uttar Pradesh.

(2) Shri Sudhir Kumar, s/o Shri Ranga Prasad, Chander Nagar, Delhi.

(3) Shri Ram Kishan, s/o Shri Shiv Narayan, Shanti Mohalla, Krishna Nagar, Delhi.

(4) Shri Krishan, s/o Shri Shiv Narayan, Shanti Mohalla, Krishna Nagar, Delhi.

(5) Shri Asha Ram, s/o Shri Kishori Lal, Kayan Bagh, Kalyanpuri, Delhi.

(6) Shri Nami Saran, s/o Shri Jagdish Prasad, Seemapuri, Nand Nagri, Delhi

(7) Shri Jagdish Prasad Gupta, s/o Shri Mangal Sen, Nand Nagri, Seemapuri, Delhi.

(8) Shri Brij Mohan, s/o Shri Kishori Lal, Mohalla Colony, Krishna Nagar, Delhi.

(9) Shri Ram Chander Kapur, s/o Shri Chet Ram, Chand Mohalla, Gandhi Nagar, Delhi.

who were found by them connected with the said racket.

The investigations are in progress.

**SHRIMATI KRISHNA SAHI:** Mr. Speaker, Sir, I would like to know from the hon. Member what is the procedure for granting licences for manufacturing drugs and whether these spurious drug manufacturers have valid licences or not. I would also like to know from the hon. Minister whether the Government is going to cancel their licences and what part of the provisions of the Criminal Procedure Act is going to be applied in this matter. May I know from the hon. Minister whether the Government is going to change the law in this regard and take stringent measures and provide extremely deterrant punishment so that such kind of malpractices is put an end to?

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI

B. SHANKARANAND): Sir, the House is aware that no licence is given to manufacture of spurious drugs. Therefore, the question of regulating and controlling the activities of such people under the Act does not arise. The Act provides for only to regulate the manufacture, licences, sale and marketing of the manufactured drugs by the licence holders and not otherwise. These spurious drugs are manufactured by those people who are not having licences. The other question is that this issue was debated in this House and outside in the Press also. In this connection, I may state that I have already appointed a Task Force on 21st June 1982 which will among other things, examine the following and suggest remedial action needed to rectify deficiencies if any, in the context of the need to cope adequately with the problems:

1. Adequacy of drug control set up in the States and at the Centre, and measures to strengthen it.

2. Need to augment the drug testing facilities at the Centre and at the States.

3. Need for setting up Intelligence Cells in the States/Central Drug Control Organisation to combat the problem of substandard/spurious drugs.

4. Changes needed in procedures relating to control over the licensing, manufacture and sale of drugs under the Drugs and Cosmetics Act, 1940.

The Task Force is allowed to give its report within two months.

Apart from this, I have already introduced a Bill to amend the Drugs and Cosmetics Act whereby I have provided summary trial for these people and we have extended the punishment of imprisonment to the extent of 10 years.

श्रीमती कृष्णा साही : अध्यक्ष महोदय,

मंत्री महोदय ने बहुत भूमिका बांध कर जवाब दिया है, मैंने तो प्रश्न से संबंधित बात पूछी थी। उन्होंने इस प्रश्न के उत्तर में बातें तो बहुत बता दी हैं, लेकिन यह नहीं बताया कि जो स्प्रियस ड्रग्स के मैन्यु-फैक्चरर्स थे, जिनका इन लोगों ने पकड़ा है, उनके पास वॉलड लाइसेंस था या नहीं? क्या यह सच है कि दिल्ली की अनएथारिज्ड कालोनी में नकली दवाएं बनाने की तीस बड़ी बड़ी फैक्टोरियां अनएथारिज्ड ढंग से एक साल से चल रही थीं, वे नकली दवाएं बाजार में भी बेची जा रही थीं और व्यक्तिगत रूप से भी लोगों को दी जा रही थी, जिससे लाखों लोगों की जान के लिये खतरा पैदा हो गया था, यदि हां, तो क्या उन कंपनियों को लाइसेंस दिया गया था या नहीं?

SHRI B. SHANKARANAND : Sir, the racket has been unearthed by the police and the persons connected with it have been arrested and the matter is under investigation.

श्री राजनाथ सोनकर शास्त्री : जैसा कि अभी मंत्री महोदय ने बताया है, यह ठीक है कि नकली दवाएं बनाने वाली कंपनियों को लाइसेंस नहीं दिया जाता है। क्या यह सही है कि महाराष्ट्र और उत्तर प्रदेश को कुछ कंपनियां खूले रूप से नकली दवाओं का निर्माण कर रही हैं और इस शर्माक कैंड में बड़ी महारुद्र कंपनियां शामिल हैं? मैंने आपको और मंत्री महोदय को बिसाया था कि महाराष्ट्र की ग्लास्को-कम्पनी द्वारा बनाई गई पेरिटान औषधि में मच्छर पाए गए थे। इसी तरह उत्तर प्रदेश की सूर्या कोमिकल ने भी एक औषधि बनाई थी, जिसमें मक्खी और मच्छर पाए गए थे। इस बारे में मैंने आपको भी कहा था। मंत्री महोदय को भी ऐसी कंपनियों के बारे में सूचना दी गई है, जिन्होंने दंड लाइसेंस कर नकली दवाएं बनाना शुरू कर दिया है। ये कंपनियां पैसे के बल पर यह काम कर रही हैं। मैं मंत्री महोदय से जानना चाहता हूँ कि क्या ऐसी कंपनियों के बारे में सूचना मिलने पर भी सरकार कोई कार्यवाही करती है। मैंने लखनऊ की सूर्या कोमिकल कंपनी और महाराष्ट्र की

ग्लास्को कम्पनी के बारे में तो दस महीने पहले लिख कर दिया था और उसके बाद कई पत्र लिखे हैं। मैं जानना चाहता हूँ कि इस बारे में क्या कार्यवाही की गई है।

SHRI B. SHANKARANAND: Sir, the Hon. Member has written to me about these companies and I have already appointed the Drug Controller of India to investigate into the matter and submit his investigations to me.

श्री राजनाथ सोनकर शास्त्री : यह जांच कब तक होगी? मैंने दस महीने पहले लिख कर दिया था। यह जांच कब तक होती रहेगी? इसके बाद जब नई लोक सभा आएगी, क्या तब तक यह जांच चलती रहेगी?

अध्यक्ष महोदय : इसको एक्सपीडिट करवाइए।

SHRI B. SHANKARANAND: Sir, it will be expedited.

श्री राम विलास पासवान : आपने कहा था कि आप इस बारे में क्विलिंग एटन्शन नोटिस लेंगे।

MR. SPEAKER : He will expedite it. He has given an assurance.

श्री निरधारी लाल व्यास : मैं जानना चाहता हूँ कि इन नकली दवाओं के कारण देश में आज तक कितनी मौतें हुई हैं। मंत्री महोदय ने बताया है कि नकली दवाएं बनाने वालों के लिए दस साल की सजा मुकर्रर की गई है, जबकि कानून यह है कि जान लेने वाले की जान ली जाती है—खून के बदले खून। इस लिए क्या मंत्री महोदय कानून में यह तरमिम करंगे कि ऐसे लोगों को फांसी की सजा दी जाए?

अध्यक्ष महोदय : यह बात ठीक है। These people are killers. मिनिस्टर साहब इसको एक्सपीडिट करें।

SHRI B. SHANKARANAND: Sir, I have already introduced a Bill to amend the Act.

श्री राजनाथ सोनकर शास्त्री : अध्यक्ष महोदय, यह मामला बहुत गम्भीर है।

क्या आप इस पर कालिंग एटन्शन नोटिस स्वीकार करेंगे, जैसा कि आपने कहा था ?

MR. SPEAKER: I agree with you I have asked the Minister to expedite and take stringent action against these killers.

SHRI SATYASADHAN CHAKRABORTY: Sir, the Hon. Minister in his answer has said that the police have taken some action. Will he let us know what those stringent measures are? You have not said under which Section of IPC they have been prosecuted. In this House we had discussed it. Are you thinking of changing the IPC to punish such people? Secondly, are you also aware of the fact that some multi-national companies are selling sub-standard drugs—and this has come in the newspapers? Most probably, your attention has been invited to it. What steps do you propose to take against those multi-national companies which are supplying sub-standard drugs to the hospitals, including the Delhi hospitals?

AN HON. MEMBER: There are some firms in Calcutta also.

SHRI SATYASADHAN CHAKRABORTY: If it is there in Calcutta, you have to punish it also.

SHRI B. SHANKARANAND: Whether it is multi-national companies or other companies, any person who is manufacturing sub-standard and spurious drugs will be dealt with strictly, according to law.

SHRI SATYASADHAN CHAKRABORTY: This is simply an expression of a desire. Because we have discussed it, I want to know what concrete steps are going to be taken.

SHRI B. SHANKARANAND: Perhaps the hon. Member has not gone through the provisions of the amending Bill. (Interruption) What is this? Listen to me. I have heard you enough. (Interruption)

SHRI SATYASADHAN CHAKRABORTY: It is true he has heard

enough; but he has also taxed our patience enough.

MR. SPEAKER: Mr. Chakraborty, you are a professor. You must listen.

SHRI B. SHANKARANAND: The House is aware that I have already introduced an amending Bill to the Drugs and Cosmetics Act, only to deal with the problems which are raised by hon. Members. About the salient features of the Drugs Act, I had spoken while introducing the amending Bill, and I am again repeating to-day also. There were some lacunae in the Act due to which we could not take proper action. That is the reason why I have come before the House with an amending Bill. Its salient features are:

A new definition of the term 'Spurious drugs' is being included, because till now there is no definition in the Act, as to what is a spurious drug. So, we are introducing this definition. (Interruptions) I am telling you that the lacuna was there in the Act. I do not know, if you cannot understand this ... (Interruption)

The Central Government is being given power to prohibit the import, manufacture, sale or distribution of a drug which is considered injurious to health or inefficacious or therapeutically ineffective.

The powers of Drug Inspectors are being enhanced to enable them to stop and search... (Interruption) I think that if the House is not interested, I need not answer.

MR. SPEAKER: It is a very serious matter. Order please.

SHRI B. SHANKARANAND: The scheme of penalties is being modified on a rational basis. Minimum and maximum penalties are being provided for serious offences. The penalty provided is a minimum of three years imprisonment and a maximum of five years, with fine.

Provision for punishment with life imprisonment is being made where it is established that the use of an adulterated, spurious or sub-standard drug has caused grievous hurt or death, solely on account of its being adulterated, spurious or sub-standard.

Provision is being made for certain offences punishable under the Act with imprisonment for a term not exceeding three years to be tried in a summary way by a Judicial Magistrate.

The definition of the term 'cosmetic' is being amended to bring 'soap' within its ambit. At present 'soap' is specially excluded from the definition of the term 'Cosmetic'

Items like empty gelatine capsules, devices used in the diagnosis, treatment etc. of diseases or disorders, are being brought within the ambit of the term 'drug'.

A new status is being given to the Siddha system of medicine, which hitherto was considered as a part of the Ayurvedic system, and consequential amendments are being made throughout the text of the Drugs and Cosmetics Act.

The definition of the term 'patent or proprietary medicine' for Ayurvedic and Unani medicines is being introduced.

MR. SPEAKER: Mr. Minister, I think the whole House stands behind your efforts to apprehend those killers, wherever they are. I think the society also should deal with these people—who are indulging in these things.

SHRI B. SHANKARANAND: That is why I had brought in the amending Bill.

MR. SPEAKER: As such, there should be strict and efficient implementation. Please put every effort into it.

### Consular access to persons detained in Pakistan and Indian Jails

\*5. SHRI DAULAT RAM SARAN:  
SHRI B. D. SINGH:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether India and Pakistan had recently agreed on providing consular access to the persons detained in Pakistan and Indian Jails;

(b) if so, whether the Indian Consular in Pakistan visited Pakistan Jails to know the conditions of Indian nationals in Pakistan Jails; and

(c) if so, with what result and the steps taken or proposed to be taken by the Government for their repatriation?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI P. V. NARASIMHA RAO): (a) to (c). Discussion on the grant of facilities on a reciprocal basis for consular access to prisoners and detenus in Pakistani and Indian Jails are in progress. It is hoped that an agreement on the subject will be finalised at an early date.

श्री दौलत राम सारण : अध्यक्ष जी, मैं माननीय मंत्री जी से जानना चाहता हूँ कि अब तक, जो बन्दी जेलों में थे उनको एक दूसरे के यहाँ आदान-प्रदान करने के लिए और उनको जेलों से मुक्त कराने के लिए क्या व्यवस्था थी और क्या गत लड़ाई के समय बनाए गए युद्धबन्दी अथवा लापता डिवलेंजर किए हुए लोग भी अभी पाकिस्तानी जेलों में हैं ? यदि हाँ, तो कितने ?

श्री पी. वी. नरसिंह राव : संख्या के बारे में आपने जो प्रश्न किया है, इस संबंध में मैं कई बार जवाब दे चुका हूँ कि चाँकि छोटे छोटे आफतसजे में लोग गिरफ्तार होते हैं और फिर छोड़ दिए जाते हैं, कभी उनकी संख्या तीन सौ हो सकती