

495 *Const. (Amend.) Bill* AUGUST 30, 1991 *Infant Foods & Feeding* 496
(Amend. of Art. 81, etc.) by *Bottles (Regulation of Production,*
Shri Ram Naik *Supply & Distribution) Bill*
by Shri Ram Naik

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to amend the Constitution of India."

The motion was adopted.

SHRI SUDHIR GIRI: Sir, I introduce the Bill.

16.29 hrs.

CONSTITUTION (AMENDMENT) BILL*
 (Amendment of article 356)

[English]

SHRI SUDHIR GIRI (Contai): Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. DEPUTY -SPEAKER: The question is:

"That leave be granted to introduce a Bill to amend the Constitution of India."

The motion was adopted.

SHRI SUDHIR GIRI: Sir, I introduce the Bill.

16.30 hrs.

CONSTITUTION (AMENDMENT) BILL
 (Amendment of Article 81, etc)
 by Shri Ram Naik

[English]

SHRI RAM NAIK (Bombay-North): Sir, I beg to move for leave to withdraw the Bill further to amend the Constitution of India.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to withdraw the Bill further to amend the Constitution of India."

The motion was adopted.

SHRI RAM NAIK: Sir, I withdraw the Bill.

16.31 hrs.

INFANT FOODS AND FEEDING
 BOTTLES (REGULATION OF PRODUCTION, SUPPLY AND DISTRIBUTION)
 BILL

By Shri Ram Naik

[English]

MR. DEPUTY SPEAKER: Now the House will take up further consideration of the following motion moved by Shri Ram Naik on the 2nd August, 1991, namely:-

"That the Bill to provide for the regulation of production, supply and distribution of infant foods and feeding bottles with a view to the protection and promotion of breast feeding and for matters connected therewith or incidental thereto, be taken in to consideration."

Shri Ram Naik.

[Translation]

SHRI RAM NAIK (Bombay-North): Hon. Deputy Speaker, Sir, I would like to continue the discussion on these Infant Foods and feeding Bottles (Regulation of Production, Supply and Distribution) Bill moved by the on the 2nd August 1991 and on which a brief discussion was already held on the same day. At the time of discussion on that day, I had made a submission about it. I would like to mention it in brief for the information of the hon. Members and the hon Minister. The relationship between the mother and the child

is such a relation as has been created through blood relation. Therefore, in order to maintain the relationship of mother and child and from other points of view also it is an important bill.

I consider myself fortunate for getting an opportunity to move this bill in the House today.

Mr. Deputy Speaker, Sir, the main object of this bill is that women should feed their children with a milk from their own breasts and it is good for the child and the mother both. Now-a-days the various items available in the market in the name of baby food are very much injurious to health and body of the mother as well as of the children. I would like to make an attempt to prevent it through this bill. It is not a new thing invented by me, but a Motion was passed in the Conference of the World Health Organisation in 1981 in this regard. That Conference was attended by our former Prime Minister Shrimati Indira Gandhi also. Delivering the key-note address, she said that there was a need to enact the laws in the whole world in this connection. Subsequently W.H.O made such a proposal also. Later on the Government of India accepted that code in December 1983. We were of the opinion when the Government of India have already accepted the code in December 1983, it would definitely make efforts to convert it into a law. But unfortunately it was not done with the desired speed, rather it should be said that the speed of work in this direction was very slow. Finally, the Government of India brought such a law in the Rajya Sabha and got it passed. I had also said earlier that time it was matter of coincidence that Shri Rao was the Human Resource Minister at that time and fortunately or merely by coincidence he happens to be the Prime Minister of this country now. The Bill which was passed by Rajya Sabha unfortunately could neither be consider nor be passed in Lok Sabha and with the dissolution of the Eighth Lok Sabha, this bill was lapsed.

Later on, I moved the Bill in the 9th Lok Sabha, also and it had already come in Ballot

but could not be discussed. Later on when the Chandra Shekhar Government came into power, it moved such a bill in Lok Sabha in January 1991. But we know that with the end of the Chandra Shekhar Government the bill introduced by it in the Lok Sabha also lapsed. This is the main reason that I am bringing this Bill once again before the House so that the proposal of the World Health Organisation passed by it in 1981 that such laws should be enacted throughout the globe could be implemented. Since 10 years have passed from 1981 when the Hon. Prime Minister Shrimati Indira Gandhi had moved a resolution in her key-note address in the meeting of the World Health Organisation, it took this country 10 years to translate this resolution into an enactment.

I feel that it does not speak well of the country. If the Government passes this bill today, it would mean that an ambition, a dream of Indiraji will be fulfilled and the Government as well as the Congress party can have the benefit of this step; and I wish that they should get the benefit.

The most important point in this Bill is that the rate of infantile mortality in our country is very high. Before, I say anything about the mortality rate, I would like to mention one important point here. The proposal made by the World Health Organisation has been reiterated time and again by various organisations of the world such as UNICEF, International Paediatric Association, Indian Academy of Paediatrics (in India), International Federation of Gynaecology, Indian Medical Association, Voluntary Health Organisation of India, and Association of Consumers Action for Safety of Health and many other such institutions, and I am of the opinion that the proposal should be given a shape of an Act and this proposal should definitely be considered.

Mother's milk has got a unique importance of its own. It is more important than Nectar because one who drinks nectar is blessed with life but mother's milk is more important from the hygienic point of view

[Sh. Ram Naik]

also. A baby is born out of his mother's body so when a child gets his mothers milk....

[English]

Mother and child are one biological product and therefore it is the safest thing. After the birth of a child, the only safest food item is mother's milk. There is no possibility of any infection. If the health of the mother is good, the baby's health will also be good and it is very safe and important from the point of view of the child's health.

I believe that children who are deprived of their mother's milk are the most unfortunate and a mother who can't feed or does not feed her child with her own milk is an unfortunate mother. The feeding of her children with her own milk is the responsibility of her motherhood. There is certainly one thing that because of the physical constitution there are certain women who do not lactate. In that case such women may not feed their children from their own breast and other alternative edibles may be given to the children. But a mother who can lactates must feed her child with her own milk. The articles available in the market now-a-days in the name of baby foods are so costly that the common people can't afford them. The feeding bottles of milk for children available in the market don't have good quality nipples. Keeping in view all these things, I feel that we must have some law in this regard.

I had discussed infant mortality, and no figures were made available to me. But I tried to collect information and I got the figures of 1986. In these figures it is mentioned that 63 thousand children are born every day in India, but out of these children, seven thousand children die before attaining the age of one year. (Interruptions) it comes to 11 per cent. In other countries of the world, the rate of infant mortality is 2.25 or at the most 3 per cent. It is a matter of concern for all of us. With the death of a child, the parents and the family face terrible agony. Keeping in view all these things, we should try to make efforts to

reduce the rate of the infant mortality as much as we can.

Diarrhoea is the main cause of infant mortality because children are not able to get milk of their mothers. They don't get good quality of milk. If any mother is ill, the milk also gets infected and this way cause infection in the mother's milk. But if diarrhoea is to be eradicated, it is necessary that the mother should be in perfect health. And if such mothers feed their children by their breasts, we can bring diarrhoea and infant mortality under control. I believe that there is a need to function in this direction.

Why does all this happen? It happens chiefly because women have developed a misconception that if at all they have to maintain their figure then they should not breast feed their infants. It is merely due to this notion that such happenings are taking place all over the world.

A survey was conducted by the World Health Organisation, the figure of which were published in India. According to that survey more the women are educated the more injustice they do to their children. Though it appears that the more we educate people the more knowledgeable they becomes but exactly the opposite has been taking place, particularly in this regard. Educated women think that infant food is better because if they give this food to their infants they would be able to maintain their physical beauty.

It does not mean that the mothers do not love their children but they have developed a wrong impression. A survey conducted by World Health Organisation reveals that in cities 80 per cent women of the upper class and 64 per cent women of the middle class do no breast feed their children. Similarly 30 per cent poor women in cities and 10 per cent women even in rural areas do not breast feed their children. Only the poor women in rural areas and also in cities breast feed their children because they cannot afford to purchase the infant food available in the market. They do think that they could also take better care of their children only if they had ade-

quate resources to purchase the infant food from the market. Therefore, a law will have to be passed in order to remove this wrong nation because this is the only way through which people are compelled to act properly.

Mr. Deputy Speaker, Sir, Acharya P.K. Atre was a great literature in Marathi. He made a considerable contribution to poetry, drama, journalism etc. We owe a lot of old literature to him and even in those old days he went to England to pass graduation. He defined the role of women in a single sentence in Marathi:

"Istri Kshnachi Patni Aani, ananta Kalchi mata ahi"

It means that a woman is a wife for a short period but is a mother for an indefinite period. Unfortunately, it has become essential to make the mothers understand their role and this duty lies on our shoulders. I do not believe that everything is possible only by law. But law gives only sanction to stop a wrong thing being done. Women should be persuaded that if they do not breast feed their infant children the stagnant milk may create the risk of developing breast cancer. Therefore, women would definitely be benefited if efforts are made to make them aware in this regard, and we must make efforts to this effect.

The other side of all, that is happening is that all the infant food is prepared by big companies, they launch aggressive publicity campaign for their products as a result of which advertisements appeal the consumer to the extent that he is convinced to use the product. For example, the cigarette advertisements are presented in a very attractive manner and in a small corner of the advertisements at the bottom is written "Smoking is injurious to health". Who cares to read this rather people are attracted to taste at least once for the sake of fun. I feel that similar aggressive advertisement campaign is carried out by infant food producers which include big Indian companies as well as multinational companies and these companies have their vested economic interests.

I remember that in the last Lok Sabha Shrimati Subhashini Ali had asked a question, whether the Government propose to ban the advertisements of infant food on radio and T.V. At that time Congress Party was in opposition and either Shri Kumaramangalam or some other Member had said that the lobby of baby food manufacturers was so powerful that no Government can dare to do it. This lobby in actual is very powerful and I feel that the Government will have to pass the law to defeat this lobby and for the welfare of the mothers and the babies.

Mr. Deputy Speaker, Sir, You will be astonished to know that as soon as the bill was introduced in the House on 2nd August, representatives of multinational companies started reaching me and started pleading that the working women in cities cannot afford to breast-feed their infant children. They argued that in the metropolitan cities like Bombay, it takes at least two to two and a half hours to reach the place of work and vice versa. Women leave their homes in the morning and come back at night at about 7/7-30. How it would be possible for them to feed their infants if baby food is not available in the market? This logic appears to be convincing. However, I made it clear to the lobby that they should not put pressure on us because we, the people of BJP, do what we are convinced to do. Therefore, whatever they said was not at all in the interest of children and mothers. I also told the representatives of multinational and national companies that I would perform my duty for which the people of Bombay have elected me. In the light of these facts it becomes my duty to remind the Government that they have failed to implement so far what the WHO recommended in 1981 i.e. ten years ago and I may submit that it is very essential for the Government to implement that. They may have an impression that

[English]

Every person has a price.

[Sh. Ram Naik]

[Translation]

But exceptions are always there. I told them they will certainly realise it.

I would like to submit to the hon. Minister that similarly neither he nor the Government have any price. The Government should take decisions in the interest of mothers and children. It would certainly prove beneficial for the country. Public campaign should be started by directing the radio, T.V. and newspapers not to give such advertisements. Newspapers may have to suffer a little financial loss due to this, however the enlightened newspapers which consider it to be their foremost duty to provide knowledge and create awareness among readers would agree to it. However, the initiative will have to be taken by the Government, only then this work can be accomplished.

I have given thought to all these things before presenting this Bill. This is not a matter of any political party. Neither BJP, nor CPM nor Janata Dal nor Congress has any political motive behind it. It is not even a matter related to any individual. It is one of those very significant questions which must be kept above party politics. I am confident that all the sections in the House will pass it. We will be able to give a new direction to the children and mothers in the country. With these words I conclude and thank you.

PROF. RASA SINGH RAWAT (Ajmer): Sir, I strongly support Infant Food and Feedings Bottles Bill, 1991 presented by Shri Ram Naik just now. In fact the tenderness, sweetness, compassions etc. required in the relationship of the mother and the child can only be established through breast-feeding. Mahadevi Verma in her poem on childhood has written:

"Meine hasana seekha hai, mein nahin janati
rona Barsa Karta pal-pal mein mere jeevan mein sona."

But when the child passes his child-

hood, adolescence and youth and experiences the ups and downs of life, he would enjoy every minute of life only if we was breast-fed by his mother. There is a phrase in Hindi:

"Honhar birwan ke hot chikne paat."

[English]

Coming events cast their shadows before.

[Translation]

The child will develop his personality only if he was breast-fed by his mother, as one of the hon. Members has already submitted.

Mr. Deputy Speaker, Sir, I would like to bring only 2 or 3 points to the attention of the House. There goes a saying in our culture:

"Varme ko guni putro, na cha moorkha shalaanyapi,
Ekshachand ratmohanti, na cha tara guna api"

It means that a meritorious son is far more better than hundreds of worthless sons. As a single moon destroys all darkness, the thousands of stars can do nothing.

In the same way, there is constant increase in population but the children are not health, they do not possess, good culture and they have not been brought up properly. Such children would merely add to the population. Fortunes would not favour them. Therefore, through this Bill, it should be made necessary that the children are breast-fed by their mothers. Different brands of canned baby foods and infant milk are available in the market. What would the children do in future when they are fed with such milk. I would like to quote Shri Akbar Allahabad:

"Hum un kulkitabon ko kabile jabati samajhate hain,
Jinko padhake bete baap ko khabati samajhate hain."

It is a problem before the parents today that their children do not obey them. When the child has been fed with canned milk in his childhood and has not been breast-fed by his mother, how would the child inherit his mother's cultures and how would he become a well-cultured child. It has been held in our country:

"Matrimaan pitrimaan acharyavan pu-rushovedah."

It means that a child, who embodies all the virtues of his parents and has received education from his teacher, is virtuous indeed. We should say:

"Janani Janambhoomishcha swargadapi gariyasi."

that one's own mother and the motherland is greater than heaven. That is why motherland has been called as:

"Mata bhoomi putroaham prithavyah."

that the land is my mother and I am her son.

Mr. Deputy Speaker, Sir, I would like to submit before the House that the Bill introduced by Shri Ram Naik, is in consonance with a similar resolution adopted by the World Health Organisation of the United Nations Organisation and also the Indian National Breast-feeding Protection and Promotion Code was formulated in our country in 1983. The mothers influenced by western education and western culture think that breast-feeding will adversely affect their health and feed their children with milk available in market. Such children suffer from malnutrition and become physically handicapped and mentally-retarded. They develop different types of diseases which later give birth to mental diseases. Therefore to save the children from such diseases. They should be breast-fed.

Mr. Speaker, Sir, it is said that Jijibai, the mother of Chhatrapati Shivaji had brought him up by breast-feeding and singing lulla-

bies to him. Maharana Pratap was also breast-fed by his mother, even though they were living in forests with his father Udaisingh. While rocking him, she gave him such cultures which made him so great in the later years.

"Janani jane to shoor jan, Kaidata Kais-hoor,
 Nahin to rije baanjhari, vrithaghamaave noor."

Therefore the mother should breast-feed her children, so that they become healthy and can keep contagious diseases away. Ban should be imposed on such showy advertisements which appear on T.V., in newspapers and in different magazines like Chandamama, Chompak, Parag, Dharmyug or Illustrated Weekly through which the parents are asked to buy feeding bottles, nipples, biscuits and canned milk. Those mothers, who are unable to produce milk, can, however, buy these things, but who can breast-feed, should do so, as mother's milk is as valuable as nectar and therefore it is essential for children.

Sir, I support this Bill. It should be the duty of the health officers to protect and promote breast-feeding and they should try to check the promotion and marketing of Infant food, feeding bottles and nipples. A provision of imprisonment has also been made. Law already exists there to conduct raids at the establishment of those who knowingly manufacture such things as are responsible for causing malnutrition among the children.

17.00 hrs.

[RAO RAM SINGH *in the Chair*]

Such provision should be there under that law as well as under this law. Sir, lastly, I would like to submit that poverty has rendered the mothers in the country too weak to breast-feed their children:-

"Shwano,ko milata doodh, bhukhe balak akulaate hain,

[Prof. Rasa Singh Rawat]

Maa ki haddi se chipak-chipak, sisak-sisak
 rah jaate hain."

Therefore, a special type of medicated milk should be made available for the children. But even today, breast-feeding is most necessary for the children. In earlier times, the mothers used to say to their sons, "You are going in the battle to fulfil your duty of defending the country, so don't disgrace my milk." Today, the mothers have forgotten to give such a teaching to their children, therefore neither they have any feeling of patriotism, nor they know how to behave with the elders. They have no duty towards the country, towards their parents, towards their family, towards the God, towards humanity and towards the world. Human values are on decay, people are becoming more insensitive and sympathy is getting lost day by day. Why are sweet words, politeness and social feeling coming to an end? All this is happening due to the feeding children with canned milk. Several mothers avoid taking their children in their lap and take them out in a perambulator. If a child would play in his mother's lap, the mother would have a feeling of attachment as the mother brings up the child. Sir, I support this Bill and would like to request the House to pass it unanimously.

Only then our culture of "Matridevo bhava, Pitridevo bhava, acharyadevo bhava" would become meaningful. I will conclude by quoting only a Rajasthani couplet, which was sung by mothers while breast-feeding their children-

"Ura na deni aapni, halrian hulrai,
 Poot sikhaavai paalne, maran baraa
 maay."

While rocking the child in a rocker and breast-feeding him, the mother used to give the teaching of not giving even an inch of his land to the enemy and of laying down his life instead while doing his duty. Such a teaching can only be given in a mother's lap and then only the child will become well-cultured and will have a bright future.

"Morning shows the day, child shows the man."

As it becomes clear from the morning how the day will pass, the bringing up of child shows what type of man he will become in future. What type of personality he will have, what capabilities he will have and what kind of his physical and mental development would be. Sir, I fully support the Bill brought here by Shri Naik and would like to request the Government to pass it and bring such a law as can impose full or partial ban on the westernised and showy advertisements showing such adulterated baby foods. The advertisements should also contain an instruction that "Mother's milk is best and beneficial for the child. Breast-feed them." Such instructions should be written on products so that the mothers should also think that if the child has to be developed properly and disintegration of family has to be stopped and the tension among children has to be alleviated, they would have to be fondled and breast-fed and kept away from such baby-foods.

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Chairman, Sir, I rise to support the Bill that has been brought forward by Shri Ram Naik. This Bill is very significant, especially for a country like India, where very little attention is paid to children. Although, India is a developing country, it has the highest infant mortality rate. Wherever, malnutrition, especially of children is under discussion, India is cited as an example. As my learned friend, Shri Ram Naik correctly observed the remedy for malnutrition lies in breast-feeding and proper care by the mother. Due to western impact and emulation of Western culture, our women folk too, instead of breast-feeding their children, are providing baby food available in the market, as a supplement to mother's milk. This is one of the major reasons behind the high infant mortality rate in the country. Mother's milk is essential for the child, especially during the first six months and in its absence, the children become victim to a large number of ailments. It has been proved that mother's milk contains elements to

prevent such diseases. On the contrary, milk-foods available in the market contain viruses and bacteria, which are responsible for various diseases including darrhoea and Polio. Under the circumstances, there can no be two opinions on the fact that mother's milk which contains many preventive elements is beneficial, and desirable.

It is my belief that if the child is deprived of mother's milk during the first six to eight months, and is fed only on artificial milk, there is every possibility of the child getting infested with diseases. Milk foods are very inferior to mother's milk and are better used as a supplement to mother's milk. I fail to understand why in this scientific age, when all facilities are available, all kinds of information are available, the mothers are bent upon feeding their children with tinned milk. If banana is crushed and its juice is given to infants, it would be more beneficial. Similarly, if cooked rice is crushed and its juice given to the child, it would prove more beneficial to the child, compared to canned milk.

It is a fact that major industrial houses and multinational companies producing milk foods have made a large presence in the country and are indulging in misleading publicity that canned milk is a substitute for mother's milk, that it is as nutritious as mother's milk. Their massive advertising campaigns have made an impact on the affluent and so-called 'elite' class and their womenfolk have started looking upon breast-feeding as an inferior activity, an act to be ashamed of. That is why a large number of children belonging to such families become victims of fatal diseases. Agreed, the mothers in poor families do not have much facilities or hygienic environment, but compared to their affluent counterparts, their children need less medical attention. Mothers belonging to rich families have to regularly visit doctors. I, myself am a doctor and I am saying this from my experience.

Mr. Chairman, Sir, through you, I would like to submit only this much that much scientific research has been done in this field and it has been proved time and again that

mother's milk is beneficial to child's growth. Not only in other States, but in Delhi itself, it has been tested at the Loknayak Institute. Much research has been done in this regard in foreign countries also. Both the World Health Organisation and UNICEF have conducted experiments in this direction. The U.N. Children's Fund has come to the condition that Mother's milk is definitely more nutritious than any other food. Earlier also, a legislation in this regard was introduced, but as Shri Naik himself explained, his earlier Bill could not be taken up for discussion as the Ninth Lok Sabha was dissolved. This is a very important Bill and the Government should enact a law in this regard and it should strictly enforce the existing prohibitions on the publicity of such products and such products should not be allowed to be advertised on Doordarshan and Radio. The Government should also take more effective steps to check the impact of misleading advertisements. Breast-feeding is very much necessary, if our future generation is to be healthy and moreover breast-feeding brings the mother emotionally closer to the child.

There can be no two opinions on the importance of this legislation as it involves the future of this country and its future generation.

SHRI KRISHAN DUTT SULTANPURI (Shimla): Mr. Chairman, Sir, I rise to support the Infant Foods and Feeding Bottles (Regulation of Production, Supply and Distribution) Bill, 1991. brought forward by my friend, Shri Ram Naik. We have a lot of orphan children around us, but unfortunately they are left at the mercy of voluntary organisations which exploit them. A few days ago, I had gone to Bombay and was staying at the Railway Rest House. In the morning, when I went for a walk, I saw many women carrying orphan children and begging alms. This is happening because in this country, we have never paid any attention to our children. If we have healthy children, they would take the country forward in future. When we go aboard, we find the children there quite healthy. It is because the basic necessities of life are available to them. If our children are brought

[Sh. Krishan Sultanpuri]

up in a healthy environment, they can play a pivotal role in nation-building. In our country, children suffer from polio and die due to absence proper medical care.

Some persons create an impression through advertisements that this food is good for babies. It has been observed in villages and cities that advertisement for Rasana etc. is given for children. The people generally do not have any idea of such item, so these traders run their industry and make crores of rupees. The same is done in the manufacture of apple juice or any other juice. A label containing slogans that this is good for children is pasted. But when a child falls ill or develops diarrhoea, there are no big hospitals in villages for treatment. Unfortunately the district hospital in the hilly areas normally lies at the distance of 60-100 kilometres that too lacks the X-ray facility and as a result of all these the sick children do not get proper treatment there.

Just now it has been said here that the mothers do not breast-feed their babies. I think this is not so particularly in villages. To some extent it may be right in cities. But generally there is no such mother as does not care for the health of her baby. If the mother does not breast-feed her baby, how can that baby grow strong to build the nation. Only the mother should not be blamed for this but the father should also be blamed because why should his wife alone take all the pains to take every care of the baby. The hon. Members have said all these things against the mother which I think is not proper. There are many men and many women in the country who are still not married. We should think about their future also. The Government should take sufficient care to provide good food to babies. Today a number of advertisements claim that their products are the best baby foods. While in reality that is not so. It should be looked into.

The Government conducts surveys from time to time regarding the birth rate the death rate among children. It is a welcome step.

They should take certain solid steps to control that. Government should have a check on the companies that give advertisements of baby foods.

The department of social-welfare does not check regularly the funds given by it to different voluntary organisations. Generally, the children hostel is not founded at the desired place by such organisation. I happened to see one such hostel in Jhabua area of Madhya Pradesh where the tribal children stay and study. They are not getting proper diets there because all the funds allocated for this purpose are misappropriated by the management. So the concerned State Government should take all care to look into the affairs of such organisations in order to avoid misappropriation of the funds. These organisations submit their annual report showing the number of children given education and the quantity of food supplied to them. But in reality this is not so. The children have to lead a very miserable life there.

In my constituency there are many such organisations in the name of children and social welfare, which are indulged in the practice of diverting the allocated funds to the organisation's personal use instead of doing any thing for social welfare. Those organisations have built grand buildings with the help of funds allocated for the work of social welfare. Those organisations have become more or less the places of corruption. The Government as well as the Parliamentarians, local M.L.As. should take all possible care to see that the funds allocated to the State Governments for social welfare programme are not misused in any way. The submissions we make here should not be confined to the proceedings of the House only but should also reach practically to villages. Apart from this, those who supply sub-standard food and the companies that supply adulterated items in the sealed bottles should also be awarded severe punishment.

Secondly, I would like to say that it is often observed that the unmarried fellows do not have much affection towards children. Such fellows have a feeling that if they take

any baby in their lap the baby might spoil their garments. Some people should educate such unmarried people because there are some leaders to who do not marry. They as well as others should be encouraged to marry in the interest of society and should be educated properly about how to look after the children because it is not unless to marry and to bring up children as they think so. I do not think whether they have any soft corner for the children. If they bring up others' children, it is good. There are number of such persons in our society.

Apart from this, there are persons who have more children and their difficulty is that how to bring up their children. Those who have no children should come forward to bring up others' children. The person like Laloo Prasad Ji cannot do this job as he has 9 children. What he has said about diet is good. I support the move because by bringing this Bill he has guided the nation. He has made both father and mother cautious regarding the breast-fed babies, Naik Ji has brought forward this very good Bill.

I support this bill and request the House to pass it. Even if this is not passed, the Government should introduce and consider such Bill, for. The children should not be made to suffer prison-like pains. Working of the voluntary originations active in the field of children's welfare must be thoroughly checked as many of them often defalcate the entire funds they collect in the name of providing food to children. The children do not get what we want to give them. So all these things are to be taken into account. There should also be some check on advertisements ensuring that the advertised product be of good quality.

The villagers are very innocent and they are ignorant of any injection and baby food. If the contents of a medicine packed in a bottle, whose date has already expires, is given to a child, he is sure to fall ill and thereby the nation would become weak. The authorities concerning the Family Planning and Medical Department should provide adequate number of workers in the existing

Medical Centres. The money given to the State Governments by the Government of India for this purpose should be properly used. The performance of the health workers deputed in different centres should be regularly checked.

In this Bill it has been suggested that the health worker should educate the people about health. But they are not there for this purpose, rather they are there to draw their salaries alone. If we try to understand it properly, it would be very good. A card to the effect that such and such things may be useful for babies should be distributed through Primary Health Centres, Sub-Centres or First-Aid Post in villages. There should be proper publicity of medicines and baby foods. The practice of defalcating money in the name of in children in cities must be banned. Severe punishment as mentioned in this Bill should be awarded to those who play with the children's future and weaken the nation.

This is what I want to say.

[English]

SHRI SRIBALLAV PANIGRAHI (Deogarh): Mr. Chairman, Sir, I rise to support this Bill moved by Hon. Shri Ram Naik.

This is a very simple and significant Bill—simple but at the same time significant Bill. In fact, the importance of such measures and their necessity have already been considered. The Government had brought forward a Bill in Rajya Sabha in 1986. That has been lapsed now. Since that has been lapsed, there is a need for bringing forward such a Bill. I understand that the present Government is also thinking in terms of bringing forward a Bill, rather a comprehensive Bill.

There are no two opinions about its purpose. It is quite noble and laudable. While supporting the Bill, I have reservations, I have doubts about the real implementation part, the applicability and the efficacy part of it. To start with, in this august House itself, there are a number of lady Members and I

[Sh. Sriballav Panigrahi]

thought that this Bill would evoke a lot of interest in them. I initially thought that this deliberation would be dominated by the lady Members. Sir, please see the response. Only two lady Members are present. Shri Ram Naik could not enthuse the lady Members of his side also. There are only two lady Members present now. One lady Member is a Minister. Kumari Mamata Banerjee is the concerned/Minister. There is another lady Member sitting at the back. When I enquired from her as to whether she will participate, she said 'No' (Interruptions)

SHRI RAM NAIK: No, she will be speaking.

SHRI SRIBALLAV PANIGRAHI: Then, I welcome it. Let her speak. About the implementation part of this Bill, I have some doubts. About the purpose, undisputedly no. We have also gone for a code in the light of the international code. There is already a code on this subject. We have adopted it here in India. It is good of us and it is our pride that our late Prime Minister, Shrimati Indira Gandhi had also initiated this at the international forum. I wholeheartedly support this measure.

In fact, children are our national property. Every child has a right to be adequately nourished as a means of attaining and maintaining health. However, whatever we cherish or whatever we like, the fact remains the because of mal-nutrition and poverty, about 7,000 babies do not remain alive even to see the first birthday. That means, they do not complete one year even. Sixty-three thousand babies are born everyday and 7,000 babies die, they do not remain alive to see their first birthday. So, the infant mortality is about 11 per cent. As I said, it can be attributed to poverty, and mal-nutrition. More disturbing than this is that more than 10, million babies suffer from malnutrition every year. Since, the mothers do not provide breast feeding, as revealed by a reporter. About the utility and good aspects of mother's milk, I need not further elaborate it because

that has been clearly done by the Mover of the Bill, Shri Ram Naikji.

Mother's milk gives active protection to the infant against infectious diseases. It has nutritional advantage for the health and normal growth of the baby. But the question is, who are the mothers who are not providing their own milk to their babies. All babies are very dear to their mothers. It is the educated, affluent, elite, quite conscious mothers who are not providing breast feeding. Are the poor, Tribal, Harijan Mothers in the rural areas not breast-feeding their children? They are doing it. If not all, quite many of the educated mothers are conscious of the utility and advantages of breast feeding over the artificial or manufactured baby foods. Still they do not do it. This has become a fashion. It requires a revolutionary attitudinal change. But how to bring about it?

Smoking is injurious to health. Who does not know that? Still smoking as a menace, health hazard, is very much on the increase. Even on the cigarette packets it is written "Smoking is injurious to health". I have come across a very beautiful, very intelligent advertisement carried out by Capstan "Don't smoke, even Capstan". That means, if you feel like smoking, you smoke more of Capstan. If you write that the baby food or artificial food is injurious to health, nothing like mother's milk and thing like that there is no problem on that. You stop the advertisement. Because the provisions of the Code are being violated on a large scale, that is why, there is the necessity also for this legislation so that the guilty can be penalised. I agree on that. But, at the same time, it has to be regulated. It cannot disappear from the market. There is a category of mothers, who, for obvious reasons, health, etc., are not capable of producing milk required for the baby. There are also orphans in the country. They will have to be given some milk. So naturally it cannot be done away with. It has to be regulated. What is required is that proper tests should be there. There should be laboratory test, proper test etc. before it is released to the market. There should be a regular campaign right from the

school education upto university level among the girls on the utility of breast feeding and evils of artificial baby food. It should find place in the syllabi particularly for the women education. It is good that our women folk is increasingly being educated. In fact, in many of the States, the Primary Education is being manned by women teachers. They are required to go to their schools early in the morning and return in the evening after covering a certain distance. In such cases, those women who have their infants left behind at home have to depend on some baby food. So, in such cases, it has got to be a combination of both breast feeding as well as baby food and the other alternative is cow's milk. As regards standard baby food is concerned, there should be some regulation that they should be produced on a limited scale and whatever is produced, it must adhere to the required standard so that health hazards can be avoided by all means.

Again, as stated by an honourable Members earlier, even according to a study, breast feeding is essential at least for four months. But the Maternity leave granted by the Government is only for three months and probably it cannot be extended. The working mothers have thus a problem.

The purpose of the Bill is laudable. There cannot be any dispute about it. But, as far as its practicability and its implementation is concerned, I have some doubts, some reservations. Large section of the women folk are not entertaining their children with breast feeding, especially the elite class. But, the poor, illiterate, tribal people mothers in the rural areas, they always feed their child with breast milk. So, it calls for an attitudinal change.

I support the Bill. while supporting the Bill, I request the hon. Minister, through you, to bring forward a comprehensive Bill considering all the pros and cons of this problem. I understand the Government is also coming forward with a comprehensive Bill soon and as such I would like to request the hon. members to withdraw the Bill. With these words, I conclude. Thank You.

[Translation]

SHRI CHHEDI PASWAN (Sasaram): Sir, I rise to support the "Infant Foods, and Feeding Bottles (Regulation of Production, Supply and Distribution) Bill, 1991 introduced by hon. Member Shri Ram Naik.

Mr. Chairman, Sir, I will not take much time because the Hon. Member Shri Ram Naik has already stated a great deal on it. Wit 2 or 3 suggestions I shall conclude my speech. This Bill is certainly an ordinary one but it is indeed very important. As such I request the Government to pass this Bill.

Mr. Chairman, Sir, in the present times the women are at par with men in every field of national development. Hence they are unable to devote adequate time for their children. Even then a mother Should breast-feed her babies for at least six months and it is only then that the health of the children who are the future of this country will be sound. Mother's milk is the most nutritious food for children and as such it is very necessary to train all mothers in this regard. It is indeed true that we are gradually forgetting the culture of our country and moving towards western culture. In clear terms we are moving towards disco age. The drift towards Western culture and forgetting the India culture is affecting the health of our future generation.

Mr. Chairman, Sir, with regard to advertisements I would like to make a few submissions. The mothers should be trained to breast-feed their children and the advertisements for publicity of baby food on T.V., Radio and newspapers should be immediately banned. One more thing, women members should have participated in this debate but it is unfortunate that while this Bill is being discussed the presence of women members here is not satisfactory. Women Member should have certainly participated in it.

Mr. Chairman, Sir, without taking much time I would request the House to accept the Bill brought by Hon. Member Shri Ram Naik

[Sh. Chhedi Paswan]

or a Bill in this regard should be brought before this august House on these lines. With these few words, I conclude my speech.

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS AND THE DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT (KUMARI MAMATA BANERJEE): Mr. Chairman, Sir, I would like to thank Shri Ram Naik who has drawn the attention of the House by introducing this important Bill. I do not want to speak much on this but I recall that effort was made to introduce this kind of a Bill in the past also and you have made a reference to it to which my attention has been drawn.

I Support the suggestion made by Shri Ram Naik. At the same time I would like to point out that a Bill on Infant Milk Food was brought in 1986 which was passed by Lok Sabha but before it could be passed by Lok Sabha the Eighth Lok Sabha was dissolved. Thereafter, when such Bill came up again, it could not be passed and the Ninth Lok Sabha was dissolved.

MR. CHAIRMAN: This time there is no such possibility.

AN HON MEMBER: Then it is not proper for it. You are aware of the developments in case the House dissolves.

KUMARI MAMATA BANERJEE: Still we make this commitment and give this assurance that we will bring this Bill. But you cannot predict how long this Government will continue. Earlier you had brought the Bill but unfortunately the Government could not continue. Today, I am giving you assurance to this effect that we will introduce this Bill ourselves as early as possible as this is very important. You have pointed out 2 or 3 things. The lobby of the multinationals is continuing to gain strength. It is not our Job to see as to why does it gain strength but our duty is to see that there is an all round Development of

the children of our country and our future is secure. As such I want that the Bill we bring should be all the more comprehensive. You have said that there should be an infant milk food and feeding bottle bill but we are in favour of bringing Infant Food Bill. At the same time we are looking in to several suggestions made by voluntary organizations and experts. We also want to include some of those suggestions. When comprehensive Bill is brought we can do something for the children of our country. With these words, I request you to withdraw this Bill so that we can bring a Bill in this regard at the earliest. I thank all those who have participated in this debate. I thank you for introducing this Bill but I request you to withdraw it so that the Government may introduce a Bill in this regard.

SHRI RAM NAIK: Mr. Chairman, Sir, I express my heart felt thanks to Prof. Rasa Singh Rawatji, Dr. Laxmi Narayan Pandeya, Sultanpuriji, Vallabh Panigrahi and Chhedi Paswanji who have expressed their views in support of this Bill. I also thank all the members who were present to hear the discussion on this Bill because it was on account of their presence that this discussion could take place smoothly. For this I thank all the Members who were present. It is true that some Members were desirous to speak after preparation. I want to be brief because the hon. Minister has very rightly pointed out that she agreed to the views expressed in respect of this Bill and would make efforts to bring the Bill from the Government side as early as possible. She has given an assurance to this effect and has also pointed out that it will be a comprehensive Bill and I agree that a Bill introduced by the Government may be more comprehensive than a Bill introduced by a Member and it must be comprehensive. In this context, I have only one suspicion in my mind that this Bill was nipped in the bud twice. In 1986 while it was being conceived, it was miscarried. It is not necessary to go into its causes.

SHRI AYUB KHAN: At that time you were not there.

SHRI RAM NAIK: It is not so, if I were there even then it would have happened. In 1991, I was there but the Government stepped down. Once Lok Sabha was dissolved and next time the Government stepped down but now it has become a history and there was a lengthy discussion on it as to why did the Government step down and why did the Government not bring this Bill. Without going into that aspect, I request the hon. Minister to fulfil her assurance and I shall wait for the same. I expect the Government to bring this Bill in the next session and if it is brought in the next session, be rest assured that this Government will remain in power till the next session.

KUMARI MAMTA BANERJEE: It is not so, our Government will remain in power. It is not as you think. (Interruptions)

SHRI RAM NAIK: No, you have said just now that it is not known how long this Government will continue but I do not wish to blame anyone.

KUMARI MAMTA BANERJEE: I never said like that but what I pointed out was that last time the Bill could not be brought because the House was dissolved. (Interruptions)

SHRI TEJ NARAYAN SINGH (Buxar): We are here to run the Government. Don't be afraid. (Interruptions)

SHRI RAM NAIK: I have no intention to accuse anyone. I request the Government to bring a comprehensive Bill in the next session for which the Minister has given an assurance. That Bill should certainly be brought and with this, the House should permit me to withdraw this Bill. This is what I want to submit.

[English]

MR. CHAIRMAN: The question is:

"That leave be granted to withdraw the Bill to provide for the regulation of pro-

duction, supply and distribution of infant foods and feeding bottles with a view to the protection and promotion of breast-feeding and for matters connected therewith or incidental thereto."

The motion was adopted

SHRI RAM NAIK: Sir, I withdraw the Bill.

17.52 hrs.

CONSTITUTION (AMENDMENT) BILL

(Insertion of new article 19%)
 by Shri Chitta Basu

[English]

MR. CHAIRMAN: Before I call upon Shri Chitta Basu to move the motion for the consideration of the Bill, we have to fix the time limit for discussion of this Bill. Shall we fix 2 hours?

SEVERAL HON. MEMBERS: Yes, two hours.

MR. CHAIRMAN: Okay. Now, Shri Chitta Basu move his motion.

SHRI CHITTA BASU (Barasat): Sir, I beg to move:

"That the Bill further to amend the Constitution of India, be taken into consideration."

Sir, I consider it a privilege for me to bring to the notice of this House the great urgency for the incorporation of the right to information as a Fundamental Right. I am really very much grateful to Mr. Naik and you, Sir, and my sister Mamata Banerjee for whose indulgence I have been able today to rise for moving the motion for the consideration of this Bill.

Sir, the object of the Bill is very simple, but of a revolutionary nature. The object of the Bill is that we have got a chapter on