

what he said. I just want to bring to your notice :

"The STC has decided to...."

MR. SPEAKER : You do not have to read the newspaper here.

SHRI E. AHMED : I am quoting.

MR. SPEAKER : You do not quote the newspaper.

SHRI E. AHMED : The attitude taken by the STC has put the small and medium newspapers in difficulty and hardship. They are put to trouble. Unless the Government takes a decision and asks STC to rectify the misappropriation and irregularities committed by it, small newspapers will be in trouble. Therefore, will the hon. Minister make a statement because a serious situation has arisen out of it?

SHRI K. PRADHANI (Nowrangpur) : The controlled rice in FCI godowns in Koraput district, i.e. in my district, has exhausted. The State Government is unable to provide adequate supply of rice to the tribal people living in that district. In the market, rice is being sold at about Rs. 6 per kg. Therefore, I request the Civil Supplies Minister to supply sufficient rice to those areas as early as possible.

SHRI SRIBALLAV PANIGRAHI (Deogarh) : Due to faulty food policy of the State Government, no rice is available to the people. The Government of India should come forward.

(Interruptions).

MR. SPEAKER : Allow other Members to speak. It is not like that.

SHRI SRIKANTA JENA (Cuttack) : In Orissa, the rice is being sold at Rs. 12 per kg. The Central Government is silent. The Minister of State for Agriculture has gone there but he did not help.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI K. C. LENKA) : How

much do you want you tell me? Whatever you wanted, we have given. Your system is wrong.

SHRI SRIBALLAV PANIGRAHI : The Government of India should come to the rescue of the people. The State Government is pursuing a wrong policy.

SHRI LOKANATH CHOUDHURY (Jagatsinghpur) : There is enough food stock. They should direct the dealers to distribute the foodgrain that has been built up in the country.

(Interruptions)

MR. SPEAKER : I would request the hon. Minister to have a talk with those hon. Members who are speaking on it.

SHRI SRIBALLAV PANIGRAHI : Before elections, to collect funds, scarcity conditions had been created.

SHRI SOBHANADREESWARA RAO VADDE : In Andhra Pradesh, several crores of rupees have been collected by the Chief Minister from the rice millers.

SHRI MANORANJAN BHAKTA : He is making a baseless allegation. (Interruptions)

MR. SPEAKER : It is not like this. Let there be some order in the House. I am asking other Members to speak. Please have pity on the Members who have not been given an opportunity.

PROF. SUSANTA CHAKRABORTY (Howrah) : Mr. Speaker, Sir, I would like to draw the attention of this House and the Government to a news report published in a French weekly news magazine, namely *L'Evenement Du Jeudi*. It focusses on the sale of human organs for transplant in Bombay and Madras. The headlines say, "Transplants of shame". The major part of the investigation carried out by the news magazine was in a village Villivakkam near Madras. It was reported 400 of the 3000 inhabitants have sold kidneys in return for between rupees twenty thousand and rupees thirty thousand.

papers just by depositing Rs. 500/-. They think that they will get a lot of publicity. Their names will be known in the entire constituency. As a result of this, the ballot papers are becoming very big. There are several polling booths where there is not enough light because they are located in the small primary schools or places where there is not much light; and the voters are illiterate. Even now 65 per cent of our population is illiterate. They are finding it very difficult to identify symbols because of bad light. So, I would suggest to the Government to think of certain measures with regard to this. Apart from raising the security deposit, you also make it obligatory on the part of the Independent candidates to purchase a copy of the voters' list. The Government gives a copy of the voters' list to all the recognised political parties either at the Centre or in the State for their benefit, but the Independent candidates have to purchase it. If he is really a serious candidate, or if he is really serious of fighting the election, then he should at least purchase one set of the voters' list. But he is not purchasing it because it costs a few thousand rupees.

SHRI SAIFUDDIN CHOUDHURY (Katwa) : He will get one copy free.

SHRI SOBHANADREESWARA RAO VADDE : No. They do not give it. Only to political parties it is given.

MR. CHAIRMAN : Please conclude.

SHRI SAIFUDDIN CHAUDHURY : Why should he not get one copy free, I do not understand.

SHRI SOBHANADREESWARA RAO VADDE : If you really want to eliminate these non-serious candidates you should make it obligatory for them to purchase a set of the voters' list and produce it at the time of scrutiny. If one does not produce it, his nomination should be declared as

invalid, so that the non-serious candidates will go out and the election can take place in a fair manner.

The Hon. Minister is mentioning about the identity cards. It is very very essential. Because, very recently in Andhra Pradesh in Tadipatri constituency it so happened that while in the 1989 election they got a majority of 1200 votes, now they got 78,000. How is it possible without booth-capturing and rigging of the elections? I suggest that, whatever may be the cost, the Government may take suitable steps for having identity cards and also the electronic machines and utilise them in the by-elections and the mini general elections.

With these words, I hope that this Government will take all necessary steps to bring normally—or at least start the dialogue with the concerned people—in the State of Jammu and Kashmir and release the workers belonging to political parties which have faith in democracy and the Constitution of our country, and who want to play a genuine role as citizens of India. Kindly allow them to do so and do not put them behind the bars. If political workers or people who do not subscribe to terrorism or extremism, or anti-national elements are detained, you are giving an opportunity to the extremists, terrorists, and the anti-national elements to come into the arena and disturb the entire democratic policy.

I hope that the Government will take adequate steps and also come forward with a comprehensive legislation as promised by the Hon. Minister so that the entire elections would be free and fair. With these words, I wish to withdraw my Statutory Resolution.

MR. CHAIRMAN : Is it the pleasure of the House that the Statutory Resolution moved by Shri Sobhanadreeswara Rao Vadde be withdrawn?

the number of vehicles that can be checked in a minute.

(Interruptions)

MR. SPEAKER: What is part (b) of your question?

SHRI MADAN LAL KHURANA: Sir, in part (b) of my question I have pointed out that the arrangements that have been made to check pollution are bogus. The plans are on paper only and there is a lot of bribery in the process... *(Interruptions)*... My point is that it does not look feasible. The new system has given rise to corruption. It is not possible for one man to check so many vehicles. Is the Government thinking of reviewing the system?

[English]

SHRI KAMAL NATH: Sir, I do agree that the DTC plays a major contributory role in pollution in Delhi. But, I am the Minister of Environment and Forests and not of Transport and I am not the Home Minister. We have laid out the norms. The enforcement of these norms is for Delhi Police and for the Home Ministry.

As far as the question of phasing out of buses that including is new buses, it is a matter with the Transport Minister and not with me. Unfortunately, I do not hold these two portfolios. I shall shortly be holding a co-ordination meeting with various authorities on this subject which will include the Delhi Police and the Surface and Transport Ministry and I shall also invite Shri Madan Lal Khurana to that meeting *(Interruptions)*

SHRI SOBHANADREESWARA RAO VADDE: Sir, through you, I would like to know from the hon. Minister whether this pollution percentage is detrimental to the interests of people between 5.00 PM and 7.00 P.M. when there is a maximum traffic and whether a study has been made into the aspect of the effect of release of exhaust gases from the trucks, transport vehicles at a point near the ground or at a quite far away

from the ground, as is the case in some other foreign countries. If that is so, will the Government take appropriate steps to bring changes in the design of the engine or the exhaust pipe so that the air pollution will be minimum and it will not be detrimental to the interest of the citizens?

SHRI KAMAL NATH: Sir, the Central Pollution Control Board has been monitoring the ambient levels of lead which is one of the major pollutants from vehicles increase of heavy traffic movement and during peak hours. This question is directed only to from 5.00 AM and 7.00 A.M., the hon. Member has referred to between 5.00 P.M. and 7.00 P.M. Nevertheless, this has been done and it has been found that the levels range from 300 to 600 monograms of lead per cubic meter of air. It has also reached a stage of 1500 in certain areas and at certain times it is 1500 monograms, the permitted norm of this being is a maximum of 1000.

As regards the second part of the question, we are continuously in the process of checking air pollution, vehicular and otherwise, and we are in the process of taking effective steps in this regard.

[Translation]

SHRI KALKA DAS: Sir, Delhi is third among the most polluted cities in the world. The hon. Minister has admitted that the level of pollution in Delhi is the highest of all places in the country. As a result of that the Delhites suffer the most. What steps are being taken by the Government to check pollution in Delhi? What has been the percentage of reduction in the level of pollution by these measures? If there has been no reduction, what steps the Government contemplates to take to check pollution and reduce its adverse effect in Delhi, in future?

[English]

SHRI KAMAL NATH: Sir, this is a very sweeping question but, nevertheless, I will try and condense it as much as possible in the answer.

assistance to 24 lakh mothers for improving their nutritional status. There is another programme of Nutritional Education and Training carried out through 67 field units to improve the nutritional condition of housewives and provide food processing facilities for domestic consumption. This also helps in further promotion of nutritious food fortification and enrichment of food supply.

(c) and (d). Evaluational Studies of the ICDS Scheme conducted by the Planning Commission, Nutrition Foundation of India and the Central Technical Committee of the AIIMS have indicated that incidence of severe malnutrition in the country is on the decline manifested in increased birth weight of the babies Vitamin 'A' deficiency and Anaemia among them is also on the decline.

Amount Spent on Welfare of Socially and Economically Weaker Sections

2678. SHRI SUBHANADREESWARA RAO VADDE: Will the Minister of WELFARE be pleased to state:

(a) the amount spent by the Union Government towards the welfare of poor and needy persons belonging to Scheduled Castes, Scheduled Tribes, Backward Class and Economically weaker section and Minorities category-wise during 1989-90; and

(b) the number of persons benefited by such welfare schemes, category-wise?

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): (a) The Government of India in the Ministry of Welfare spent the following amounts on the Welfare of Scheduled Castes, Scheduled Tribes, during 1989-90;

	<i>Amount Spent</i>
Scheduled Castes	Rs. 338.86 crores

Scheduled Tribes Rs. 28.22 crores

Besides, Rs. 2108.06 crores was spent through the special Component Mechanism for Scheduled Castes of the States and Rs. 205.50 crores was spent towards Special Central Assistance for Tribal Sub Plan of the States/UTs.

(b) 24,42,954 Scheduled Caste families and 10.25 lakh Scheduled Tribe families were benefitted during 1989-90.

Schools for Handicapped and Disabled Persons

2679. SHRI VIRENDRA SINGH:
SHRI RAMESH CHAND
TOMAR:
SHRI BHAGWAN SHANKAR
RAWAT:
SHRIMATI MAHENDRA
KUMARI:

Will the Minister of WELFARE be pleased to state:

(a) the number of schools for handicapped and disabled persons opened so far State-wise; and

(b) the time by which such schools will be opened in each district of the country?

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): (a) According to available information, there are 1037 Special Schools for handicapped and disabled set up by Government and the voluntary sector in the country. The State-wise information is given in the attached statement.

(b) Opening of more special schools by Government will be determined by the availability of resources.

time to time. I would like to quote the conditionalities governing that call for general amnesty:

- (i) the ULFA detenus without any serious charges would be released forthwith. (This is also in accordance with the Congress (I) manifesto);
- (ii) Government would free all other detenus including those involved in heinous crimes and grant general amnesty only if the ULFA responds favourably to the Government's appeal to lay down arms and come to the negotiating table; and
- (iii) If deemed necessary in the interest of a meaningful dialogue with the ULFA, the Government would request the Government of India to consider lifting of the ban on the organisation.

This is what actually we have offered to the extremists. I have already stated that the ball is in their court. I do not agree with those who raise the question that on what basis, the Government can have a dialogue with them since their demand is secession. Let us talk and let us find out as to what alienates them from us. That is the most basic question. Once they spell out, we can consider as to how far we can go in meeting their demands without compromising the question of unity and integrity of the country which is indivisible.

Sir, last year, a team of Cabinet Ministers led by the Deputy Prime Minister of the country including Members of the Opposition camped in Srinagar for days together searching for the right contact who could persuade the militants of Kashmir to come to the negotiating table. Then again, in the case of Punjab extremists, in spite of their demand for secession, the appeal to them for shunning violence and come to the negotiating table still stands. So, what signal will go to the people of Assam, if the Government

refuses to talk with the militants on the plea that there cannot be any dialogue with them unless they give up their demand to secede? One may jolly well ask the question, what will you do if you fail? Well, we fail, yet we can at least convince the people of our sincerity of purpose. The ball is, in any way, in their court. We should remember the ultimate appeal of ours as well as that of the terrorists is to the people. Let the people decide.

I am not saying that the Government does not believe in the methods of persuasion. They do believe in it. But however, I am afraid, that sometimes there is not the application of right strategy at the right time. For once the situation is allowed to drift, no method, persuasive or coercive will click. The hard-line may turn out to be counter-productive, too. It may indeed achieve some limited objectives but the alienation will be total. This is the ground reality of the situations wherever we have opted for hard-line. I am not saying that there is no necessity of hard-line and firm action which forms the basis of TADA Act. I do admit that the Government must be armed with the extraordinary situation. What I am emphasising is the rationalisation of the use of such laws.

I am not using the word "humanisation" as it may sound too soft and probably may not go well with many. But the Government has to convince that before it goes for hard-option, all other options have been exhausted and no other option, are left. Then and then alone it can go towards taking coercive action under the Terrorist and Disruptive Activities (Prevention) Act. This aspect has to be borne in mind.

SHRI SOBHANA DREESWARA RAO VADDE (Vijayawada): Mr. Chairman, Sir, I rise to express my disapproval to the Terrorist and Disruptive Activities (Prevention) Amendment Ordinance, 1991 and the Amendment Bill that has been brought forward by the hon. Minister.

While introducing the original Bill, the then Government said that they would be able to control the activities of the terrorists

[Sh. Sobhana Dreeswara Rao Vadde]

in just two years. Again it was extended by two years and now again the Government has come forward with a request for extension for another two years.

Actually, there is every possibility of misuse of such laws. Just now Shri Chitta Basu was telling about some instance, the case of one Nirmal Singh who was arrested under TADA Act because he was fighting against the corruption in that area. He was fighting for social justice and against certain misdeed of the people in the Administration. Annoyed with this, he was arrested. There may be other instances in some other States. I am told that in Rajasthan, in Kota area also, people belonging to a particular community were arrested in good number.

I would like to know from the hon. Minister whether a study has been made to find out whether this Terrorist and Disruptive Activities (Prevention) Act has been misused by either persons in the administrative set up or in the political arena to victimise or restrict the activities of their political adversaries. The Government should take care of such things. We have had a very bitter experience earlier. Just to negate a particular judgement of the High Court, the draconian law, Maintenance of Internal Security Act was passed. The persons who fought for freedom of this country who suffered in the jails for several years for the cause of freedom-people like Shri Morarji Desai, Shri Advani, Shri A.B. Vajpayee, Shri George Fernandes and such other people-who shed so much of their sweat and blood for this country were put behind the bars. They were all put behind bars. We had such bitter experience. Several trade union leaders, kisan leaders, and several people were detained under that MISA just to see that the chair of a particular person is not disturbed.

Now this TADA has been brought. I would like to know how far you have succeeded after bringing this TADA nearly four years back and whether the activities of these terrorists and these anti-national ele-

ments have come down in Punjab or in Jammu and Kashmir or elsewhere?

I feel very much because as days pass on, it appears that these activities of the terrorists are increasing and they are acquiring very very sophisticated arms. They are able to use rockets and latest electronic equipment with precision not only in a remote area but even in the capital town of Srinagar in Jammu and Kashmir or in several parts of Punjab.

My submission is, only your arms or your forces will not silence these terrorists. You must weaken the terrorists. You must strengthen the political forces in that State who do not subscribe to these terrorists views.

As Members of Eighth Lok Sabha, we had very bitter experience. The Hon. Rashtrapathiji praised Barnalaji when he addressed both Houses of this Parliament together in the central hall and called him a very great persons. Just after a few months, he has simply dismissed that Government. Mr. Barnala who was fighting against these terrorists was rewarded with a dismissal, just because you wanted to get political mileage and because you were going to hold elections in Haryana at that time. But you have failed to woo the electorate in Haryana. They had very bitter experience of your tricks. Their democratic rights were vetoed by means of defections. The great was a master of that. He was always negating the people's verdict. As a last resort, by dismissing the Akali Dal Barnala Government, you thought that the people of Haryana will vote to you. But the people of Haryana are quite wise enough and they did not vote to you.

My submission is apart from your military operations, or your operations through Police and other machinery, you must try at the same time to bring a change in Punjab or Jammu and Kashmir or Assam or any other State through a different channel also.

Mr. CHAIRMAN: You mentioned a name

and said he encouraged defections. The name will not go on record.

SHRI SOBHANA DREESWARA RAO VADDE: I leave it to you.

I hope our present Home Minister Shri Chavanji will seriously make efforts to bring such type of change. The other day he was saying that he will visit Punjab, Kashmir and such disturbed areas and talk to the people and bring change.

I would like to say that the situation in Andhra Pradesh is also not very happy. The hon. Home Minister must be quite aware of it. There also these terrorists are having lot of links with the Naxalites there.

14.00 hrs.

They are receiving very very sophisticated arms. I would like to say that because of their anger, their hatred, their anguish towards the then TDP Government, the N.T. Rama Rao's Government, unfortunately we believe the leaders of the Congress (I) Party must have had some understanding with the Naxalites there who, in turn, helped the Congress (I) party in the 1989 Assembly elections where they were able to see that the Congress (I) won the election and formed the Government. You know the position. The then Chief Minister of Andhra Pradesh was very very lenient towards these Naxalites people and these Naxalites, these very people are having connection with the terrorists, with the anti-national elements. They have procured very large quantity of arms including AK-47 rifles. They threaten the business people, they threaten the industrialists and ask: "Give us one AK-47, give us two AK-47s."

In this connection, I want to tell that the other day also they were able to kill a very large number of police people in Andhra Pradesh because of which the morale of the police forces is also coming down. What I want to bring to the notice of the Government is that not only in the letter, the Bill that is important but your intention, your commit-

ment that is all the more important.

Sir, in Hyderabad City a lot of disturbances had taken place. In the very presence of the police people, a lot of things were done. But no action was taken. Just to bring a change of a Chief Minister, few hundreds of people were killed. What action was taken against such people? Are not such of these incidents encouraging these terrorists and anti-national elements to play their own games when such people in power both at the Centre as well as in the State are left untouched? Such things happened only to just bring a change of a Chief Minister. After all, you can represent your High Command and you have every right to ask for a change. But killing of innocent people, inciting violence in a very large scale are not good things. These things are going to have a lot of impact. So, I appeal to the Government to see that such incidents do not take place again at a larger scale. I hope this Government and especially our Home Minister Shri Chavan will be able to succeed in curtailing these activities of these terrorists. Therefore, I hope that this Government will not require extension of this Terrorist and Disruptive Activities (Prevention) Act, 1987 anymore.

SHRI RAMA KRISHNA KONATHALA (Anakapalli): Sir, Shri Sobhanadreeswara Rao has just now said that the then Chief Minister of Andhra Pradesh joined hands with the anti-social elements and their response for that. What about his party people joining hands with the Naxalites and addressing the last elections on a common platform? (*Interruptions*)

MR. CHAIRMAN: Let us not involve in this kind of a debate because it is a question of time before us.

(*Interruptions*)

SHRI RAMA KRISHNA KONATHALA: He is the man who is responsible for the Naxalite Movement in Andhra Pradesh.

SHRI SOBHANADREESWARA RAO
VADDE: Not at all it is a well-known fact.
(Interruptions)

SHRI P.C. CHACKO (Trichur): He has said that you have shared a common platform. You have to answer to that. (Interruptions)

MR. CHAIRMAN: On some other occasion you can raise this. Time is very short.

(Interruptions)

SHRI SOBHANADREESWARA RAO
VADDE: Sir, I am on the verge of concluding my speech with a few words. My colleague has said something. It is a fact that your Congress Government was very very lenient and considerate to Naxalites for reasons best known to yourself because of which it has reached all-out proportions, the like of which never happened in the history of Andhra Pradesh... (Interruptions) I will finish now.

Sir, with these words, I hope the hon. Minister will not insist on getting this Terrorist and Disruptive Activities (Prevention) Amendment Bill passed.

[Translation]

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Chairman, Sir, I rise to oppose this Bill. In the first instance, it was passed for two years. Thereafter, it was extended by two more years. Those two years have already elapsed and now the Government is trying to extend its validity for a further period of two years. All such legislations have been thrust upon the country from time to time. I would like to make a reference to the Preventive Detention Act which was moved and passed in 1952 in this very House. Mr. Kailashnath Katju happened to be the Home Minister at that time. The opposition parties were opposed to that legislation because the congress side was always authorititarian, monopolistic, individualistic and it often worked keeping its interest uppermost in its mind. Then Mr. Katju had defended the Bill stating

that it was temporary measure only.

Today, I would like to make a reference to a personality about whom people have different views. Even I myself have no knowledge of his ideology. He is Shri Syama Prasad Mookerjee. He used to be a Member of this House and had opposed the above legislation tooth and nail. I request those hon. Members who support this legislation and used their articulate voices to go through that particular speech of Mr. Mookerjee. In the course of his speech, he expressed this view. Those days, the naxalites and communists had identical views. The communist ideology was not at all acceptable to the Congress, which was pro-capitalist. Though Pt. Jawaharlal Nehru spoke in favour of socialism, yet he worked for capitalists. When Mr. Katju pointed out as to how the communist parties had started a campaign against the above legislation, Mr. Mookerjee replied in the following words:

[English]

"I am no admirer of communists. Ideologically, we differ. But so far as preventive detention law is concerned, I regard it as unjustified, illegitimate and against the concept of the rule of law."

[Translation]

When the then hon. Home Minister said that it was only a temporary measure, Shri Mookerjee had given the above reply.

[English]

"The Home Minister says that this is only a temporary measure."

[Translation]

Mr. Chavan, you must think over it.

[English]

The Home Minister says that this is only a temporary measure and they will do it only for a short while.

[Sh. Ram Prakash Chaudhary]

Bengal. Why do you speak about Haryana only and ignore West Bengal?

SHRI BASU DEB ACHARIA: There is nothing of this sort in Bengal.

[English]

Nobody has been arrested in West Bengal under TADA. We must be assured that this Act will not be misused against the political opponents in Haryana. Those innocent persons who are under arrest under this Act either in Rajasthan or in Gujarat or anywhere else, they should be released. We want a categorical assurance from the Home Minister.

SHRI RAM NAIK : I will ask just one clarification. This Act should not be applied to those who are neither terrorists nor extremists. This is the demand of the House. A specific reply must come from the Government. The Government should give guidelines that this Act should exclusively be used for extremists and terrorists only and no one else.

SHRI SHAHABUDDIN SYED: I appeal to the Government that even at this late hour they may either withdraw the Bill or at least give a categorical assurance that every single case of TADA detainee shall be reviewed by the Home Minister within a period of three months.

SHRIK. P. UNNIKRISHNAN (Badagara) : The Bill which seeks to strengthen the long arm of the State against terrorist and disruptive activities can only be specifically used for that purpose. Anything else would be a malafide exercise of power, as we have seen in the State of Haryana, where elected representatives of the people have been detained under this Act. This sort of thing, whether it is in West Bengal or Haryana or Kerala or anywhere else, cannot be allowed to happen. That is not the purpose of this Bill

as the Parliament understands it. We want a specific assurance from the Home Minister. As the guardian of the Stature—and the House trust him as the guardian of the Statute—he should see to it that it is not misused anywhere.

SHRI SOBHANADREESWARA RAO VADDE : Madam, I seek a clarification.

MR. CHAIRMAN: No please. We cannot go on like this.

SHRI SOBHANADREESWARA RAO VADDE : I will seek only one small clarification. When we have brought certain information to your notice, you told us that you are not having ready information. While replying, You have now said that you will see to it that this Act is not misused. But I submit one point. When such instances where those innocent people not connected with terrorist and disruptive activities are arrested, are brought to your notice, you must see to it they are released immediately. And after their release, will the Government take necessary steps against those persons who are responsible for arresting these innocent people, so that this Act will not be misused by others in the Years to come? Kindly assure us on this.

(Interruptions)*

MR. CHAIRMAN: I am not allowing you

(Interruptions)*

SHRI S. B. CHAVAN: Madam, I would like to assure this hon. House that TADA will be used specifically for the purpose for which the Bill has been enacted. It cannot be used against the political opponents, it cannot be used against the normal activists of the trade unions. We will certainly not use it against the trade unionists. But if they have committed any offence which can be considered 'as' attracted to the provisions of 'TADA', then of course I cannot help it. But the guidelines will again be issued to all the State Governments

Machinery to execute his orders should work under him so that he may function effectively. I have seen in many districts that signboard of consumer court has been fixed outside the door of court room but other cases are heard in that court. This arrangement is not proper one. This court must have a separate room with all the adequate facilities. Some state Governments fail to provide adequate facilities for want of money. Then it is the responsibility of Central Government and the National Commission on Consumers' Protection to look into the matter and ensure that statutory requirements under this Act are fulfilled in the states and it should also ensure that the aims and objectives— with which the machinery has been constituted to protect the interests of consumers, to do justice to the all consumers, to make available pure and unadulterated commodities at cheaper rates and on time are also fulfilled. This commission should take all care to see that the black-marketing is not encouraged in any way. For this purposes the central Government must establish special courts in the country. It should give financial assistance to the states for establishing such courts in their each district. What is more important is that there should be no political interference in the functioning of consumer protection courts because these courts are working for a good cause. These are working to safeguard the public interest and protect the consumers rights. Therefore, only those persons whose motive is service and who are active, honest, willing workers well acquainted with the facts and local circumstances and dedicated to their work and duty should be nominated as the members of such courts. Only then I think, these consumer courts would be more active and well organised and this amendment would have relevance otherwise there is no use of making laws. There must be a coordination between theory and practice. Mere enactment of laws will not do anything, their implementation is more important. The people must feel it in reality. They may get justice when they lodge their complaints against the quality of the commodities supplied to them through a dishonest and fraudulent manner. There must be redressed of their complaints.

At last, Sir, through you I would like to say to the hon. Minister that at present as I have observed that the consumers associations have been constituted at the divisional head-quarters level only. How can we expect from a farmer or a general citizen that he will present himself in such court after covering the 40-50 miles distance on foot or spending money on fare from his own pocket. It is very difficult for him to do so. I think such forums should be constituted at every district, Tehsil and block level and if we are really serious about the decentralisation then such forums should be formed even at the Panchayat levels so that they can get protection and the exploitations of the consumers whether it is social, mental, economic or it is in the name or prices and the non-availability of the commodities in time could be checked.

I would like to say in the last that if the proposed amendment in the consumer protection act is made and implemented in the right perspective then this act would prove more effective and meaningful.

[English]

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): Mr. Chairman, Sir, I have earlier given my notice of motion disapproving the Ordinance.

Now the hon. Minister has just now explained the circumstances under which this Ordinance was brought. It is because of the decision of the National Consumer Disputes Redressal Commission.

But I feel that apart from meeting the requirement as per the decision of that National Consumer Disputes Redressal Commission, you could have incorporated some more amendments giving a comprehensive picture to this Amendment Bill.

You know in December, 1986 when the then Minister Shri H.K.L. Bhagat was there is piloting this Consumer Protection Bill, he accepted that the Bill is not a comprehensive one. He agreed so on the floor of the House and he also said that as time passed, if some deficiencies or loopholes are observed,

[Sh. Sobhanadreeswara Rao]

certainly the Government will come forward with a necessary amendment to take care of such deficiencies.

Unfortunately, today in this Amendment Bill moved by the hon. Minister, that is not there. The present amendment is technically, as he said, to meet this particular small change in the procedure to be followed by Consumers District Forums.

I feel very sad because this Government should have taken care about the poor consumers of this country. More than four decades ago, Mahatma Gandhi has said this and it is now very relevant and I quote:—

"A consumer is the most important visitor in our premises. He is not dependent on us. We are on him. He is not a disturbance to our work. He is the purpose of it. We are not doing a favour to the consumer by giving the same opportunity. He is doing use a favour by giving us an opportunity."

You are aware of these very precious words which were uttered by Mahatma Gandhi very long back. At that point of time, surely you will agree that the moral values were far better than at present time.

I would like to bring to the notice of the Hon. Minister what Mr. H.K.L Bhagat said at that time and I quote:—

"The intention of the Government is not to be satisfied with the present arrangement."

The Government said that its intention was to go to the block-level, to go to the village-level also so that the consumers are enlightened about their rights and to take care of their interests.

But till now we did not succeed in that. Somenow, the Government, it appears, is not very serious. Even after nearly 4-1/2 years, only half of the districts are having

these District Forums. Unfortunately, today there is no limit to the greed of some traders. They are adding white sand in rice and in sugar and they are not hesitating to adulterate the life-saving drugs also. Somehow they want to make money at any cost. So if things are like that, the Government should have come forward with all necessary amendments. Right now, in this Consumer Protection Bill, there is no scope for interim relief. Suppose a consumer is affected and he gives a complaint. In that event, there is no interim relief. All people especially the poor people cannot wait for months or years together till the case is disposed of. Let the Government think of the circumstances where some interim relief could be given to the consumer depending upon the merit of the case.

Sir, today we are hearing of adulteration of pesticides. Lot of farmers are being cheated. They spend a lot of money out of their hard-earned money and hard-earned savings. They don't work well as a result of which the farmers lose their crops. Nobody is compensating them. There is no wonder about it. You must be aware of the fact that even in respect of complex fertilizers, very costly variety of fertilizers, they are not of pure quality. The suppliers are mixing up one into the other to make a lot of money. My suggestion is when such incidents come to your notice, take stringent action. Suppose, one consumer, one person finds fault with the supplier and prefers a complaint either with the District Forum or the State Forum. After due enquiry of all the procedure, that particular consumer may be compensated. But the fact is that he is the only one person who has given complaint. There are thousands of such people. There may be even lakhs of people who do not even prefer to give complaints because they may either be ignorant or they may not be aware of their rights or of this Consumer Protection Act and the mechanism that is connected with that and the relief they may be getting. Many people are illiterates. A lot of villagers do not have access to the nearest place where this District Forum meets. Therefore, when it is found that a manufacture or a trader has

deliberately supplied substandard quality goods to a particular consumer, the Consumer District Forum or the State Forum whatever it may be, must penalise that manufacturer or the supplier for supplying the substandard goods or deliberately adulterating that particular product. He must be penalised to that extent. It is not a question of giving mere relief to the individual consumer. That is what I want to submit to this Government.

Sir, there are several incidents of substandard seeds supplied to the farmers. Several times, we have raised it in this House also. With great hope and paying thousands of rupees, people purchase seeds but they are not good quality seeds. They do not germinate at all. The result is that after spending precious time, the farmers will be put to very great loss. You are also aware of this. Therefore, my submission is that the Government should come forward with a comprehensive (Amendment) Bill taking care of these deficiencies and stringent punishment should be given to such defaulters.

Next, I think this Consumer Protection Act must be given wide coverage and propaganda through the media. Right at the moment some daily newspapers are giving certain columns educating the consumers that such and such thing happened like this at so and so place and the consumer could get some relief; his right was protected. Like that, some newspapers are giving columns. I congratulate some newspapers for that. Nowadays the TV is the most powerful media. It goes straight into the heart of the persons and the people. My suggestion to the Government is that it must allocate some considerable time in the electronic media, especially the TV to educate the consumers. In a country like America one single person by name Ralph Nader could fight the Automobile giant General Motors. He felt that a particular model of the General Motors car was not in the interest of the consumers and hence he got it examined with some engineers. Then he fought the case in various forums. Ultimately he succeeded in his mission. In this country, with so much illiteracy,

poverty—even 75 per cent of our people are living in the villages—the Government must come to our rescue. The Government must come to the rescue of the consumers and unless the Government comes to the rescue of the consumers, there will not be any relief and justice. Justice delayed will be justice denied. Already five years have elapsed. I request the Government to take all necessary steps immediately.

Section 14 also needs amendment. I hope, the Government will certainly come up to remove all these deficiencies. I hope the hon. Minister will come forward with a comprehensive Bill, if not in this session, at least in the next session. I urge upon the Government to take all necessary steps.

SHRI SRIBALLAV PANIGRAHI (Deogarh): Mr. Chairman, Sir, I support this Bill—the Consumer Protection (Amendment) Bill, 1991—which is to amend the Consumer Protection Act of 1986. As you know, this Bill is intended to replace an ordinance. While participating in the discussion on this Bill, I recollect that it was our late beloved leader Rajivji whose anxiety for protection of the consumer's interest was responsible for this enactment. He was very keen to see that the consumers' interest are well protected and they are not subjected to all sorts of exploitation, cheating etc. In an economy, it is not the manufacturer or the producer who matters, rather it is the consumer who matters. The consumer matters much more than the producer or the manufacturer. In our country, unfortunately, the consumer—because of ignorance, illiteracy and also the type of situation that is obtaining—is often exploited and cheated. It was definitely a good beginning made. But five year's time has elapsed meanwhile and not much satisfactory progress has been achieved in this direction.

Frankly speaking, the intention underlying this Bill is very very laudable. It is a Central Act. The Central Government are giving instructions, guidelines to the State Governments and it is for the State Governments to implement it in the field by constituting committees or commissions or any other