

RAJYA SABHA

*SUPPLEMENT

TO THE

SYNOPSIS OF DEBATES

Tuesday, August 1, 2006/Sravana 10, 1928 (Saka)

THE FOOD SAFETY AND STANDARDS BILL, 2006

THE MINISTER OF STATE OF THE MINISTRY OF FOOD PROCESSING INDUSTRIES (SHRI SUBODH KANT SAHAY), moving the motion for the consideration of the Bill, said: It has been rightly said that this is a historic Bill because a comprehensive and integrated law is proposed to be enacted in respect of food law after 1954. We are number one in respect of agricultural production of many items but as far as value add and processing is concerned, we are lagging far behind. The reason for this is that there are eight Ministries and twelve or fifteen laws under this entire legislation. Now we have brought this integrated Bill abolishing all of them. If proper investment, proper technology does not come and proper laws are not enacted in this field in the coming years, it will create mismatch like situation.

Our Ministry have set a target to bring maximum investment in the next five or ten years and simultaneously we will enact a legislation which will ensure quality and standard. We are setting up an independent Regulatory Authority. We have excluded farmers, fishermen, vendors, *theli* and *rehri wallahs* and small shop keepers from the provisions of this Bill. I can say that this is a pro consumer Bill because consumer can take sample from the market directly for test under the provision of this Bill. Consumer is entitled to get compensation, when he suffers health hazard due to consumption of contaminated food. Therefore, I appeal to the Hon'ble House to take this Bill into consideration.

SHRI AJAY MAROO: This Bill has been brought to encourage multinational companies and it is against the agenda of the UPA. Therefore, I can not support this Bill. Food security is an important issue. This Bill relates not only with our health but our lives also. At present, there are a number of rules and laws relating to food and as a result there is confusion about it. The provisions of these laws are being utilized to intimidate the people. So, there is a need for a unified food law. Law should be framed in such a way that the rights of the people are protected and nobody is harassed unnecessarily.

After going through the Bill, it does not appear that this Bill would achieve its objectives, so I cannot support sum part of it. First objective of any law is to protect the interests of the consumers. The interests of the small vendors and traders should also be protected. By implementing this law, small vendors and small traders would face great difficulties. By merely providing in the Bill that small traders will have to get themselves registered with the municipalities and Pachayats does not make the position clear.

In the earlier laws, there was a fixed procedure for taking samples of food article but, in this Bill there is no such provision. There should be a fixed procedure to take samples so that everybody gets justice. There is an acute shortage of laboratories to test food samples. Therefore, first of all we will have to upgrade the status of laboratories and make such arrangements that the food samples are tested accurately at the earliest.

A provision of Rs. ten crore has been earmarked through this Bill for the expenses relating to Food Safety and Standards Authority. The allocation in this regard should be enhanced. It appears that the expenses regarding implement of this Bill will be borne by the State Governments and Union Territories.

The Parliamentary Committee relating to the Ministry of Agriculture has made certain recommendations most of the have been accepted. I request the hon'ble Minister that two Members of Parliament should also be included in the Committee constituted for the selection of the Members of the Authority and the Chairman of the Selection Committee should not be a bureaucrat but he should be the Minister of Food Processing Industries.

Some foreign countries are opening restaurants in our country. There is need to keep special attention on their food items. Many types of diseases are spreading in children due to junk food. Public awakening campaign should also be launched against fast food. There had been controversy some days ago about quality of soft drinks manufactured by some foreign companies. Maximum misuse of law regarding adulteration is being done by food inspectors. There should also be effective measures to check it. While making zones, geographical aspect has not been kept in mind. There is need for many improvements in this Bill. The views of State Governments should also be taken in preparing the Bill. I request the Hon'ble Minister to take care of the amendments submitted by me. I support this Bill.

SHRI SANTOSH BAGRODIA: I rise to support this Bill. We are hardly processing overall about six per cent of the food items. The Bill proposes to create a regime of comprehensive law to facilitate the healthy growth of food processing sector by merging 8 existing laws. The Bill is the outcome of the various high level Government Committees and recommendations of the Parliamentary Committees. This kind of industry will be a great help not only for the farmers, but also for employment generation and making the properly produced healthy food readily available at different parts of the country. Once the Bill becomes an Act, it will require constant monitoring of the functioning of its provisions. Let us not make this Authority where we will have bureaucrats who are very busy. Unless all the stake-holders are involved in this, I don't think this Authority will be able to do justice. It would be difficult for a 19 member body to meet regularly.

Let us be practical. Some kind of regulatory mechanism is required for the first five or first ten years. Unless this is done on a continuous basis, we will not be able to establish the Authority in an appropriate manner. Like other regulators, the Authority should be headed by a professional expert or by a scientist in the relevant field. The representatives of the Ministries could be invitees without voting rights. The purpose of making it autonomous should not be defeated. The number of professionals, scientists in

food technologies, agro researchers etc., should be increased. This was also the recommendation of the Parliamentary Committee.

Whether the non-official members of the Authority would be full-time members or part-time members? What will be their responsibilities? Whether the recommendations of the Central Advisory Committee would be binding on the Food Authority or not? Obviously, the Central Advisory Committee would be subordinate to the Food Authority. If that is so, what is the need for having this kind of the Central Advisory Committee? Do we have the same officers, the same members from the public in these Committees? What would be the size of the Central Advisory Committee?

It is for the Food Authority to set up such committee and panels. They shall be constituted by the Food Authority. Medical help will be required after you become ill or you become sick. So, it should be preventive. The health of the county will depend on good food for our children. The Bill provides for State-level Commissioners to be appointed by the State Governments. Who will pay the salaries etc., of the State-level Commissioners?

All the provisions of this Bill will be implemented by the Sub-Divisional-level officers whose professional qualifications have not been elaborated in the Bill. The professional qualifications of the Food Officer are also not specified in the Bill. Does it mean that these officers will have different qualifications in different States and in different districts? This should not be handled by the Sub-Divisional Officer who is already there. This has to be handled by experts. This can't be handled just by any officer.

They don't have big names like Chef and don't have certificate from any college. They have only very long expertise. They come from different parts of the country for different types of Melas. No license should be required for these small hawkers. I request you to make provision in the Bill to have more places for hawking their goods, so that no authority can disturb them. There is a provision in clause 63 which stipulates a penalty of Rs. 1 lakh for doing unlicensed food business, like street hawkers which the poor fellow cannot earn in even ten years. There should be no provision of any penalty on them.

Measures should be taken to sensitise and popularise the provisions of this Bill, instead of imposing penalty which may degenerate into corruption. The moment this Bill is passed, MNCs will come in a big way because India is a huge market. I have nothing against them. When these MNCs like Coca Cola Company come to India, it is their responsibility to make their products as per world standards. They cannot have a different standard for India and another standard for Europe or the U.S. or other American countries. They should also be forced to export some percentage of their same products in the developed countries to show that their quality standards are equally good here too. Otherwise, they will have two different standards. European countries do not allow our farm products because of sanitary standards, nutritive standards and different chemicals. Will the products made out of these farm products be exported? You must open the world market, then only the propose of this Bill will be fully served.

The inspector-raj will not be abolished unless the mindset of the system is changed. So, what efforts are you going to make to change the mindset? He has

mentioned that about 26 percent of GDP is for food processing. But, foodgrains are being stored for six years and more. They become unusable and they are not good for human consumption. What precautions you are taking in this regard? You have to coordinate that whatever raw material is used, should be at least good for human consumption. The date of manufacturing and date of expiry should be written on the packings. There are different packing materials which are suitable for packing, they have to be put separately under the ISI law. If this is not adopted, you will not achieve the target of food processing. Even in USA, where laws are very stringent, at least food laws, there also the McDonald was penalised for using beef for ordinary vegetarians. Finally, they had to pay one million dollar penalty to some vegetarians organisations. McDonald is already in this country and many international McDonalds or other type of units are going to come here. What provision do we have if they use beef in their products in our country?

What precautions you have taken in this Bill and what kind of implementation are you going to do that MacDonalddo not use beef in our country? What kind of standards are you going to maintain under this law? Do you have any provision for this? If not, how are you going to protect the consumers? (*Speech finished.*)

Discussion not concluded.

RAJYA SABHA

***SYNOPSIS OF DEBATES**

Wednesday, August 2, 2006/ Sravana 11, 1928 (Saka)

THE FOOD SAFETY AND STANDARDS BILL, 2006-Contd

SHRI PENUMALLI MADHU: If we see the core aspect of the Bill, I find this Bill helps the large producers by tightening the screws on the small traders, manufacturers, vendors and distributors and if this Bill is accepted in its present form, they are going to be unemployed. This Bill has not taken into consideration their real problem . According to me there are five important aspects dealt with in this Bill. Firstly, this law does not distinguish between the Organised and Unorganised Sections of the traders. In second aspect water from the Municipal Corporation has not been covered in this Bill; when the water supplied by a Municipal Corporation or Panchayat is contaminated and when something is manufactured with that water, then the vendors or the small traders are liable for punishment. Thirdly, it excludes plant and animal feed and thereby, the entry of pesticide and antibiotics is excluded. Fourthly the power to suspend the license is vested with the local officers. Thus, there is enormous scope for harassment of the food vendors. Fifthly, through this Bill, it appears, the State Government will have to bear the cost of implementing this new law. It is very much clear that it is going to eliminate the small trader, small manufacturer and small distributor, thereby helping big business. Not only big business, this law is said to meet the dynamic requirements of international trade. In India, 99 per cent of the total production is consumed in India. For producing dal and roti we do not need any laboratory. Under these conditions, if this Bill is accepted in this form, we will be doing injustice to the people of India. This Bill is creating Food ad Safety Standards Authority. The Ministry of Food

Processing Industries has no laboratory to test the safety and standards of food in a laboratory. More than 10 million children die every year. The Infant Milk Substitutes Act is also there. This Bill is taking away that Act also. We people are depending on local manufacturers and vendors. If we adopt this Bill, it will only help the multi-nationals, very big traders and very big manufacturers.

SHRI P.G. NARAYANAN: This Bill was referred to the standing Committee. But, the pity is none of the recommendations of the standing Committee is accepted and incorporated in this Bill. This is not good. From big industries like Nestle to the small businessmen like street vendors come under the purview of this Bill. Everyone in the food sector is required to get license or registration which would be issued by the local authorities. Implementation this Bill is not practical at all. There is no difficulty with the organised sector because they have already got licence. But, in the case of unorganised sector, the small food manufacturers, don't have enough time to get licence immediately. How can this law be implemented without considering small businessmen who are in the unorganised sector? This anomaly has to be removed.

Water being a major ingredient in manufacturing food items, the quality of water should be ensured. The Bill does not require any specific standards of potable water provided by the local authorities. Sometimes, contaminated water is also provided by some of them. But they are exempted from the clutches of this Act. Whichever body provides potable water, should be brought under the purview of this Bill. Sometimes, in the name of farmers, some anti-social elements use poisonous pesticides and antibiotics. They are not liable to be punished under the Act. But the vendor of the contaminated grains is liable to be punished under the Act. If the important power to cancel the licences is given to lower-level officers, this will lead to corruption and harassment. The total budget, is Rs.three crore for setting up the Food Safety and Standards Authority, and Rs.7 crore are allotted for recurring expenditure. It does not include setting up of any infrastructure. i.e. labs, trained inspectors and like that. There must be some estimate of the actual cost which will be borne by both the Central Government and the State Government. Without the network of laboratories this Act can not be implemented effectively. So, these anomalies have to be removed in order to implement this law effectively.

SHRI MANGANI LAL MANDAL : Today, food safety is the foremost problem before our country. This is not only a legal question but, it has social and humane concerns as well as the future of the country is linked with it. All the eight existing laws in the food sector will become nul and void when this Bill is passed. This Bill has been brought to remove all the anomolies which were in the existing laws. I congratulate the hon'ble Prime Minister and the Minister concerned for bringing this Bill.

I would like the hon'ble Minister to clarify as to whether the classification in five zones is on geographical basis or on administrative basis or on some other consideration. The Chair- persons of the five Food Authorities should be either the retired Chief Justice of the Supreme Court or any of the High Court. There appears to be a contradiction between clause 30 (A) and clause 36. This should be clarified. My view is that this power should be given to the District Magistrate where the possibility of manipulation will be less. You have not provided for any advisory committee on State level. There is also no provision of legal advisor in this Bill. After the authority is established, the

administrative procedure to book the person at fault, should be simple and its complexity must be removed.

SHRI RAVULA CHANDRA SEKAR REDDY : We are making many laws in our country, but most of them remain on paper only since we are not in a position to implement them. We must also study as to how many people are being affected or benefited by any enactment made by the Parliament. There is a feeling among a section of the society that we are making laws to break them. In the case of the instant Bill, what exactly is the intention of the Government and how many people of our country will really get benefit out of it?

Availability of food itself is the most important aspect. Once the food is made available, we must look at the quality, safety and standard. Whether the hospitals, hotels, hostels, catering institutions, either Government or private are all brought under the purview of this legislation. I apprehend that by virtue of this legislation, we are going to strengthen the inspector raj and it is going to affect the small vendors, small hawkers and small people who are running mess for students and the working class. Slowly, we are going towards multinational companies. We have already seen McDonalds, Starbucks and pizza Huts. They are all coming to our country. They are going to kill our small units. As regards the so-called mineral water, we used to have thousands of small units earlier. Now, two multinational companies have taken over the industry. All the small units are either purchased by them or forced to close down their units.

The very aspect of inviting the multi-national companies or encouraging them is going to kill our industry. We are going to force many of our units to close down. There is going to be a lot of unemployment. I find that the penalties range from Rs.1 lakh to Rs.10 lakhs has been proposed. Is it practically possible for a small vendor to maintain the standards incorporated in this legislation? Are we in a position to provide safe drinking water to the people of our country? That has to be looked into. What will be the fate of farmers and fishermen. Would they really be brought under the purview of this legislation?

Not even one recommendation of Standing Committee has been accepted. I request the hon. Minister to help us in understanding the status of the unorganized units in our country.

The law would be enforced through State Commissioners on Food Safety and local level officials. It is going to burden the State Governments. Whether the State Governments have been consulted before bringing this Bill here.

Our farmer is not getting Rs.10/- for his produce, but the multi-national companies are selling it at Rs.300/-per kilogram and making money. I request the hon. Minister to concentrate on construction of safe godowns, cold storages and help the small farmers and try to protect farmers and fishermen.

SHRI SHARAD ANANTRAO JOSHI: I compliment the Minister for presenting the Bill. Even the First Five Year Plan recorded importance of having food processing industry for the survival of the Indian agricultural. For the first time, Hon'ble Minister has made effort to present an alternative. However, there are a number of difficulties that would crop up. The Standing Committee on Agriculture has, definitely,

recommended that this is not the legitimate work of the Food Processing Ministry. This is a very serious mistake.

When we recently had the Bird Flu, which is a very serious problem in food safety and standards, it was not only the Minister of Agriculture who rushed but also the Minister of Health rushed. Certain requirements that are presumed in the Bill are actually non-existent. We do not have adequate chain of cold storage, which is an important thing in food processing. The number of laboratories that are capable of food analysis, are something about 30-32. The food technology is an extremely sophisticated technology that requires highly skilled manpower and highly sophisticated equipments. In India difficulty is that we have a very poor quality of civic services, like water, power and even the general standard of social hygiene is very poor.

Marketing of the food produced presents another set of problems. The Standard of the civic services as also the social standards would make it very difficult to maintain the hygienic and the sanitary standards. Hon. Minister has chosen to take the entire food processing industry, small and big into the modern world. The standard that the world food industry requires is 'untouched by hand'. While we insist on food prepared by hand, they believe that the best food is that is untouched by hands. We should follow the example of the United States and have a common Food and Drugs Act which will take care of both the things and that should be handed over to the Ministry of Health. That will give us a bigger network of food laboratories.

It should not be called the Food Safety and Standards Bill because there is nothing about safety and standards in the whole Bill. It all deals with the Food safety and Standards Authority. There should be an explicit provision that nothing under this Act will oblige a farmer, a fisherman, and those who live by collecting food items from forest will be required to register.

SHRI SURENDRA LATH: The main object of this Bill is as to in what manner adulteration in food items may be prevented and how the pure food, and hygienic food be provided to public. Today 50 percent of food items are found to be adulterated. Even in the milk, chemicals are being mixed. There are as many as 16 laws which have provisions to check the adulteration in food items.

Food safety laws comes under the purview of Ministry of Health and Family Welfare. This Bill provides to constitute a Food Safety and Standard Authority to monitor the import and export of food items and processing, storage, distribution and sale thereof. The proposed Authority would not have any full time member and the powers of the members have also not been defined. Some women members should also be associated with this Authority because they have a direct link with processing of food item. Had the people having the expertise in food processing industries be included in the composition of this Authority the above Authority would have been more effective.

The one of the main object of the Bill is to be provide for a systematic and scientific development of food processing industries. But the main object of the Food Safety and Standard Authority is to ensure Food Safety and Standard. Both objects are different. Those people and institution who process and sell the food items and small vendors working in unorganized sector and small hawkers have been covered under this legislation. While this legislation applies on the persons working in food processing

industries under organized sector, it also applies on small vendors and hawkers who sell their food items at doorsteps and come under unorganized sectors.

Now these small vendors and hawkers will have to get themselves registered with local bodies. It is very difficult for the people working under unorganized sector to obtain license and registration from local bodies because most of them are illiterate. They should be exempted from getting license or registration from any local body as they do not have proper knowledge of the law. There should be a provision in the Bill to make them aware about the food item they are selling. If we want to develop our agriculture then it can be achieved by promoting the food processing industries.

There is no provision for monitoring the transport system. There is no mention about the potable water. The water which we receive from the municipality is needed to be checked that 'how pure' that water is? This Bill replaces the P.F.A Act. In the penal provision of the Act, the officer of the rank of SDO has been empowered to fine up to 1 lakh rupees. It will encourage corruption. This is likely to harm more than the benefit. There is much contradiction and anomalies in this Bill. It will affect the small shopkeepers, hawkers, vendors and poor people; and they will be rendered unemployed. So, I oppose this Bill.

MS. MABEL REBELLO: I support this Bill. I am happy that the Hon'ble Minister has brought this comprehensive, consolidated and substantial Bill for food processing. We are producing a large amount of fruits and vegetables and we are second in the world in producing fruits and vegetables. But, we don't have cold storages facility, we do not have processing facility. India is the country which produces the highest amount of milk. Hardly 10 to 15 per cent of milk is processed. Rest of the milk is not processed. In developed countries, almost 80 per cent of the food is processed and in India we are processing hardly 7 to 8 per cent of food. Wastage in India is something to the tune of Rs. 60,000 crores per annum. If this food is processed properly, then this will bring about a sea-change in the life style and quality of lives of our farmers. Only when a farmers gets good money, he will try to produce more and that will become an incentive for them. And, with that, he will improve his quality of life. That is why, this integrated food Bill is necessary.

Today, we are exporting our food products but what is the average share in the world trade. It is only 1.5 per cent. We are exporting only 0.8 per cent to 0.9 per cent, that is our contribution in the world trade. If we want to help our own country and help our own people, our share in the world trade should definitely increase to 1.5 per cent.

I am very happy that this Bill is actually for the farmers and the fishermen. Now with this food processing, the fishermen and the farmers will get very good payments. Our mindset should be to help the farmers, to help the fishermen and not to negate, not to harm them, not to punish them. If you bring in large number of people and inspector *raj*, the small vendors also have to get themselves registered. So, I request the hon. Minister to see that no harm is done to the poorest of the poor who makes a living by selling some food at roadside. There should be a provision to punish the inspectors as well as the

officers who make money on the blood of these small people. This law is very good for educated people, staying in the cities. But, how will this law be implemented for the poor people. Seventy per cent of our people are living in the villages. Hardly 50-60 per cent of them are literate. So, the mechanism should be simplified so that the poor man, the man in the remote village can get justice. This is my request.

SHRI RAM NARAYAN SAHU: The Food Safety and Standards Bill is very commendable one. The bigger problem in this Bill is adulteration. I would like to say that there is a adulteration in the mustard oil which is being consumed in every part of the country. This is a dangerous situation because of consuming adulterated oil. The manufacturers and the whole sellers are responsible for this. You have brought very good Bill. It is very good for every one. Everybody wants to enjoy good health. Some companies are producing very good quality of oil. We have to keep a strict vigil. It is very good, if it is implemented properly.

The "pan masala" is purchased in whole of India, and exported also. It is being sold to the maximum extent. I am to submit that whatever be the price, but the quality should be high. Whether it is oil or whether it is spices, for this you will have to catch whole sale dealer and manufacturers. It is very important. Today, even the small children are using the "pan masala."

SHRI R. SHUNMUGASUNDARAM: It is reported that food sector constitutes nearly 26 per cent of GDP. The rapid growth in population gives rise to food requirement. The Government is duty bound to ensure the supply of safe, unadulterated, hygienic and wholesome food to the citizens. The Government has to provide facilities for increase in food production. There will be large scale wastages if there is no wastage prevention and proper processing facilities.

This Bill dispenses with the Licence Raj as far as petty manufactures, hawkers, vendors etc. are concerned. They are not required to take registration as per clause 31(2). This will give a great relief to the petty traders.

Limitation of one year to launch prosecution is fixed under clause 77. That, I feel, is a little longer period. This requires to be reduced to six months. The Commissioner of Food Safety can extend time in appropriate cases taking into consideration the individual merits.

Appeal time too also reduced considerably. In most of the cases, the present sentence has been dispensed with, and this is a unique and significant change. Under clause 74, special courts are allowed to be constituted and that, according to me, will complicate the situation. Some offences will go to the special courts and some offences will go to the magistrate courts and regular courts. There would not be any uniformity and the sentencing policy will be at stake. It would be better, if all the offences go to the Special Court. Adequate number of study courses in food technology be introduced and the students must be properly counselled to take up such courses of study. The campaign on the necessity for consuming nutritious, safe and quality food should be stepped up.

DR. NARAYAN SINGH MANAKLAO: I would like to mention something about the Food Safety and Standardization Authority. In my opinion, the food safety is the most important and essential aspect of human life. The purity and availability of food

comes under it . As regards adulteration, the consumption of sub-standard food items has an adverse affect on the human health. This Bill has been brought forward in order to check such practices.

The object of this Bill is to abolish the Inspector-Raj. But owing to certain provisions of the Bill, especially the provision regarding fine upto Rupees one lakh, this will certainly be a boost for the Inspector-Raj. A provision has been made in the Bill for penalising the traders who import adulterated food items. Since at present the Government itself is importing wheat and there is no mechanism available presently to check it quality. I would, therefore, like to request that Government agencies should also be covered under it.

As regards food safety enforcement, the overwhelming powers in the hands of Enforcement Officers, without giving any opportunity to the representatives from the food trade and industry to be heard before prosecution, might lead to exploitation and devastation of trade.

There is an Advisory Committee constituted under the Chairmanship of its CEO. Since the CEO functions under the Chairman of the Food Authority, the Advisory Committee may not advise him with impartiality. Therefore, separate status should be accorded to the Advisory Committee.

SHRI SHANTARAM LAXMAN NAIK: This is a historical Bill. I recollect the Consumer Protection Act passed by Parliament in 1986 at the instance of Shri Rajivji. I consider this Bill as an extension of that concept. In this country, because of food adulteration and other aspects of marketing, people die either instantaneously or by slow poisoning and this legislation is a safeguard against that.

There is a very important Clause 5 which gives 1/3rd representation for women. This is a welcome measure. Clause 6(e) provides for selection of Members of the Food Authority and the Chariman. There is a Committee. All members can be chosen by that Committee, except ex-officio members? It is not fair. Therefore, even ex-officio members should be covered under this. The tolerance limit is a very, very sensitive aspect as far as insecticides and pesticide is concerned. As far as tolerance limit is concerned, it has to be fixed by a regulation. Government publications, as far as this Bill is concerned, when it becomes Act, must incorporate rules and regulations. This is a very important aspect because the whole scenario, today, of food products and other consumer items goes on advertisements. There is another very serious aspect. We are not referring to efficacy elsewhere in the Act, which should have been done. I would like to ask the hon. Minister whether any citizen is free to take samples; if yes, what is the procedure in this regard?

The clause of penalty should be amended as it gives a lot of scope for corruption. There should be a provision to punish rumour mongering.

SHRI EKANATH K. THAKUR: The intention and the thought behind the Bill is to be commended on all counts. It is necessary to assure food safety and food standards to all the people of India. I believe that the Food Processing Ministry has not paid its attention to development of food processing industry through the medium of this

Bill. The Ministry should have taken this opportunity to introduce provision which would encourage the food industry to function in a better manner.

I personally believe that this law will result in contrary consequences for the people in the food industry and even for the consumers. Once this food law is enacted, expenses will go up heavily. Certain recommendations were made by the Narsimha Rao Committee and also by the standing Committee, but those recommendations are not being taken into account. After this Bill becomes an Act, the Food Inspector will be extremely empowered. He will ride roughshod over every small producer, while the big bureaucrats will bring benefits for big manufacturers directly.

This Bill will create a cleavage into small manufactures, small traders, small retailers and big manufactures. The food industry has been inadequately represented in the Central Advisory Board. The Central Authority should be in a State where maximum food processing is done. I oppose the increasing bureaucratisation of this Authority and I really feel sorry that the recommendations of Venkataramaiah Committee and also of the Standing Committee have been totally neglected in this regard. Today, in our country, eighty-five per cent of the producers are small producers. They require guidance. There are no such provisions. There is no hearing before a punishment is imposed.

I would request the hon'ble Minister to withdraw this Bill, and amend this Bill, taking into account the various suggestions and concerns which have been voiced by the Members of this House.

SHRIMATI PREMA CARIAPPA : We are definitely concerned about health and safety of our people. Good food means good health, Healthy citizens lead to a healthy and wealthy country. As the Bill is the outcome of the discussions on various meetings of Parliamentary and Ministerial Committees, the Food Safety and Standards Authority should be made as an autonomous body. And it should be headed by a scientist or an expert in the field of agriculture. In view of the fast growing food processing industry and liberalised trade, we have to ensure that the consumers are not cheated by the sale of sub-standard goods. Today, the developed world has got strict food safety and standard laws. We too should have such laws so that the developed world does not take advantage of our weak laws in the field. The licence/registration of Fast food/MNC restaurants, found guilty of using harmful additives/ preservatives should be cancelled.

As far as the sample testing is concerned, there should be strictly a time-frame of getting the verification report within a shortest period of time. I strongly feel that every stage in the food chain needs to be standardised and also there should be strict ban on advertisements on print as well as electronic media which lead to unfair trade practices.

As far as the packaging and labelling of foods is concerned no person should manufacture, distribute, sell or deliver for the purpose of sale of any goods without a specified label. This should be added in the clause of the Bill. The implementation of the Act is going to be a big challenge as there are not enough laboratories that can do sensitive and detailed testing.

SHRIMATI S.G.INDIRA: If we take a sample of food given in the flight of Indian Airlines or any Government flight and send it to the laboratory, we will find all the

bacteria and virus inside the food. I want to put forth and stress this point so that the Minister may inform this to the concerned Minister.

It has been Mentioned that the present Chief Minister of Tamil Nadu has waived Rs.6,866 crores in favour of the farmers but I want to put forth a point that the amount that our former Chief Minister has given in her period, is included in the amount that he has mentioned.

THE MINISTER OF STATE OF THE MINISTRY OF FOOD PROCESSING INDUSTRIES (SHRI SUBODH KANT SAHAY), replying to the debate, said: I would say that the Bill is meant to provide single window solution. There will be only one Inspector in place of 16 Inspectors. In this way, we are going to abolish Inspector Raj. We have proposed to set up an autonomous Regulatory Authority. For the first time, a provision has been incorporated to penalise the inspector and Food safety officer if his assessment leads to harassment of any Industrialist.

We are setting up a Food Safety and Standards Authority. Under it, there will be Food Safety Commissioners of each State because their participation at national level is necessary. Representation has also been given to the farmers, industrialists and consumers in the second layer Committee.

A number of hon. Members enquired about the infrastructure. We are providing a large infrastructure to this Authority by pooling the manpower out of eight concerned Ministries. Lakhs of cases are pending in different courts and neither consumers are getting justice in these Courts, nor defaulters are being punished. Therefore, we are categorizing these cases in three categories for early disposal. Now-a-days, consumers are very much aware about their rights. If he spends money, he wants hygienic and standard food, which is his right.

The day the farmer starts producing raw material for this industry, his bargaining capacity will increase. A number of State Governments have recognized the importance of food processing industry. Today, there is lot of opportunity in the country to earn money. The future belongs to food technology and it is necessary to set up a regulatory authority for which this Bill has been introduced.

We have not included drinking water under the purview of the Authority but water used for industrial purposes has been included and that must be pure. One third participations have been provided to women in this Authority. We have excluded farmers and fisherman from the ambit of this Bill. Persons belonging to the social sector have also been excluded from the purview of licensing. Law is the same for small companies as well as multinational companies.

We are wasting a huge amount of fruits and vegetables. We are wasting the poor farmers' property. Because nobody is investing money in that. If the industry had been there, he would have supplied his products to the industry. We must target our domestic as well as international consumers, and I wish that India should become a BPO and resource centre for the world food.

Shri Santosh Bagrodia is saying something about the organic food. The organic food is very much included in clause 22. In respect of licensing, if any license seeker wants to get a license, and if he does not get it within two months, he is free to start his

business. So far as registration of small trader is concerned, the idea is that they should also be accountable, but not harassed.

The Motion for consideration of the Bill was adopted.

Clauses etc. were adopted.

The Bill was passed.
