

FOURTH REPORT
STANDING COMMITTEE ON
FOOD, CIVIL SUPPLIES AND
PUBLIC DISTRIBUTION
(1999-2000)

(THIRTEENTH LOK SABHA)

MINISTRY OF CONSUMER AFFAIRS
AND PUBLIC DISTRIBUTION
(DEPARTMENT OF CONSUMER AFFAIRS)

DEMANDS FOR GRANTS
(2000-2001)

Presented to Lok Sabha on 20.4.2000

Laid in Rajya Sabha on 20.4.2000



LOK SABHA SECRETARIAT
NEW DELHI

April, 2000/Chaitra, 1922 (Saka)

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COMPOSITION OF THE STANDING COMMITTEE ON
FOOD, CIVIL SUPPLIES AND PUBLIC DISTRIBUTION
(1999-2000)

Shri Devendra Prasad Yadav — *Chairman*

MEMBERS

Lok Sabha

2. Shri A.P. Abdullakutty
3. Prof. S.P. Singh Baghel
4. Shri Shyamlal Bansiwai
5. Shri Ranen Barman
- *6. Shri Surender Singh Barwala
7. Shri Sujan Singh Bundela
8. Shri Namdeorao Harbaji Diwathe
9. Shri Rameshwar Dudi
10. Shri Abdul Hamid
11. Shri Jai Prakash
12. Shrimati Preneet Kaur
13. Shri Brijlal Khabri
14. Shri Shyam Bihari Mishra
15. Shri Aditya Nath
16. Shri Sisram Ola
17. Shri Mansinh Patel
18. Shri Laxmanrao Patil
19. Shri Raju Ban Riyan
20. Shri Vishnu Dev Sai
21. Shri Abdul Rashid Shaheen
22. Shri Kodikunnil Suresh

* Shri Surender Singh Barwala ceased to be a member of the Committee w.e.f. 24.01.2000
Vide Bulletin Part II (Para No. 400) dated 24.01.2000.

23. Shri Ram Naresh Tripathee
24. Shri Ram Chandra Veerappa
25. Shri Sahib Singh Verma
- **26. Shri Akhilesh Yadav
- ****27. Shri Tejveer Singh
- ****28. Shri Kishan Lal Diler
- ****29. Shri Ramshakal
- ****30. Shri Rama Mohan Gadde
- ****31. Shri P.D. Elangovan

Rajya Sabha

- ***32. Shri Sushil Barongpa
33. Shri W. Angou Singh
34. Shri Abdul Gaiyur Qureshi
35. Shri Lajpat Rai
36. Shri Dawa Lama
37. Shri M.A. Kadar
38. Shri Kaushok Thiksey
39. Shri D.P. Yadav
40. Shri Nanaji Deshmukh
41. Vacant
42. Vacant
43. Vacant
44. Vacant
45. Vacant

SECRETARIAT

- | | | |
|------------------------|---|--------------------------|
| 1. Shri Hamam Singh | — | <i>Joint Secretary</i> |
| 2. Shri Krishan Lal | — | <i>Deputy Secretary</i> |
| 3. Shri R.S. Mishra | — | <i>Under Secretary</i> |
| 4. Smt. Manju Chaudhry | — | <i>Committee Officer</i> |

** Nominated to the Committee *m.s.f.* 14th March, 2000 *vide* Bulletin Part II No. 667 dated 14th March, 2000.

*** Shri Sushil Barongpa ceased to be a Member of the Committee consequent upon his retirement from Rajya Sabha *m.s.f.* 24.2000.

**** Nominated to the Committee *m.s.f.* 6th April, 2000 *vide* Bulletin Part-II No. 708 dated 6th April, 2000.

INTRODUCTION

1. the Chairman of the Standing Committee on Food, Civil Supplies and Public Distribution (1999-2000) having been authorised by the Committee to submit the Report on their behalf, present this Fourth Report on Demands for Grants (2000-2001) relating to the Ministry of Consumer Affairs and Public Distribution (Department of Consumer Affairs).

2. The Committee examined/scrutinized the detailed Demands for Grants (2000-2001) of the Ministry which were laid on the Table of the House on 13th March, 2000.

3. The Committee took evidence of the representatives of the Ministry of Consumer Affairs and Public Distribution (Department of Consumer Affairs) on 22nd March, 2000.

4. The Committee wish to express their thanks to the Officers of the Ministry of Consumer Affairs and Public Distribution (Department of Consumer Affairs) for placing before them detailed written notes on the subject and for furnishing the information to the Committee, desired in connection with the examination of the subject.

5. The Report was considered and adopted by the Committee at their sitting held on 11th April, 2000.

6. For facility of reference and convenience, the Observations and Recommendations of the Committee have been printed in thick type in the body of the Report.

NEW DELHI;
17 April, 2000
28 Chaitra, 1922 (Saka)

DEVENDRA PRASAD YADAV,
Chairman,
Standing Committee on Food,
Civil Supplies and Public Distribution.

PART-I
REPORT
CHAPTER I

Introductory

1.1 The Demands for Grants (2000-2001) of the Ministry of Food and Consumer Affairs (Department of Consumer Affairs) was laid on the Table of Lok Sabha on 15th March, 2000. Demand No. 40 that contains the figures of Revenue as well as Capital Expenditure of Department of Consumer Affairs are as follows:

	(Rs. in crores)*		
	Revenue	Capital	Total
Voted	21.82	2.24	24.06
Charged	—	—	—

1.2 The details of the Budget Estimates and Revised Estimates for (1999-2000) as well as Budget Estimates for (2000-2001) are as under:

Revenue Section

Major Head	1999-2000 Budget			1999-2000 Revised			2000-2001 Budget		
	Plan		Total	Plan		Total	Plan		Total
	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
Secretariat—Economic Services	3451	—	4.26	0.30	4.63	4.93	0.24	5.11	5.35
Industries	2852	2.45	—	0.65	—	0.65	2.95	—	2.95
Civil Supplies	3456	10.54	5.74	2.40	17.17	19.57	3.50	5.06	8.56
Other General Economic Services	3475	1.72	2.66	1.57	3.08	4.65	1.07	3.89	4.96
Grant-In-Aid to State Governments	3601	—	—	—	—	—	—	—	—
3602	—	—	—	—	—	—	—	—	—
Total—Revenue Section	1471	12.66	27.37	24.88	29.80	7.76	14.06	21.82	—

1	2	3	4	5	6	7	8	9	10
Capital Section									
Capital Outlay on Other General Economic Services	1.79	—	1.79	9.08	—	9.08	1.24	—	1.24
North Eastern 4552	—	—	—	—	—	—	1.00	—	1.00
Total—Capital Section	1.79	—	1.79	9.08	—	9.08	2.24	—	2.24
Grand Total	16.50	12.66	29.16	14.00	24.06	38.88	10.00	14.06	24.06

The details of recoveries adjusted on account in reduction of expenditure for revenue and capital section are as under:

Revenue	14.71	9.66	24.37	4.92	24.06	29.00	7.76	12.06	21.82
Capital	1.79	—	1.79	9.08	—	9.08	2.24	—	2.24
Total	16.50	9.66	26.16	14.00	24.06	38.08	10.00	12.06	22.06

- 1.3 The Head-wise demands have been discussed in the succeeding paragraphs.
- 1.4 The Ministry has furnished the following statement showing BE/RE and expenditure for the year (1999-2000) alongwith percentage expenditure:

Major Head	Percentage Expenditure with reference to										
	BE 1999-2000		RE 1999-2000		Actual Exp. Up to 29.2.2000		BE 1999-2000		RE 1999-2000		
	Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan	
1	2	3	4	5	6	7	8	9	10	11	
1. 3451 Secretariat Economic Service	—	4,26,00	30,00	4,63,00	28,50	3,74,76	—	87,97	95,00	80,94	
2. 3456 Civil Supplies, Consumer Protection Cell	2,54,00	74,00	2,40,00	77,00	13,97	68,35	5,50	92,36	5,82	88,77	
3. 3475 Regulation of Weights & Measures	21,00	1,09,00	6,00	1,16,00	1,36	80,80	6,48	74,13	22,67	69,66	
4. 5475 Capital outlay on Other General Economic services	1,79,00	—	1,06,00	—	—	—	0,00	—	0,00	—	

1	2	3	4	5	6	7	8	9	10	11	
5. 3475	Regulation of Markets (PMC)	1,51,00	1,45,00	1,51,00	1,80,00	84,29	1,35,54	55,82	93,48	53,82	75,30
6. 3475	Other General Eco. Service International Contribution	—	12,00	—	12,00	—	10,31	—	85,92	—	85,92
7. 3456	Assistance to Consumer Coop.	—	2,00,00	—	15,60,00	—	2,00,00	—	100,09	—	12,82
8. 5475	Investment in NCCF	8,00,00	—	8,00,00	—	8,00,00	—	100,00	—	100,00	—
9. 3456	Project under Consumer Welfare Fund	—	3,00,00	—	80,00	—	23,80	—	7,93	—	29,75
10. 2052	Industries-Standardization & Quality Control	2,45,00	—	65,00	—	45,00	—	18,37	—	69,23	—
Total		16,50,00	12,66,00	14,00,00	24,88,00	9,73,12	8,93,56	58,98	70,63	69,51	36,91

*An amount of Rs. 8,00,00,000/- was initially provided in BE 99-2000 under 3456 as Grant in aid to NCCF in RE 1999-2000, this amount has been taken under 5475.

1.5 It may be seen from the statement furnished by the Ministry that the plan funds allocated during 1999-2000 under Major Heads Regulation of Weights and Measures, Industries and Standardisation and Quality Control, Civil Supplies, Consumer Protection Cell etc. have not been fully utilised. When the Committee asked about the reasons for less utilisation of funds, the Secretary, Department of Consumer Affairs, during oral evidence, stated as under:

"We have ourselves reduced it in the RE finding that there was a general fiscal deficit. So, we felt that wherever it was possible to cut expenditure and save money, we should help the Ministry of Finance. There was a general direction based on which wherever there was an expenditure which need not be taken up now or which could be postponed, we have postponed that expenditure and reduced expenditure for the current year.

In the case of the consumer protection, perhaps, you are finding that expenditure is less because the expenditure will be booked only by March end. We have committed the expenditure and the bills are coming in. By the end of March, the expenditure will be incurred. The RE cut has been made by us deliberately knowing the progress of the work so far done so that the financial position of the Government of India could be improved to the extent possible. The RE has been suggested by us and the difference is because in most of the cases the March expenditure will give the final figure. The booked expenditure as given by the accounts department is up to the end of February. We will be able to spend this money. We are reviewing it every week in March and we have to spend the money which we have asked for in the RE excepting BIS where we had put Rs. 20 lakh for construction. The tender has not been finalised. It will not be possible for us to incur the expenditure this year. So, it will be shifted to the next year."



1.6 The Committee are not satisfied with the performance of the Ministry in so far as plan expenditure is concerned. The percentage of plan expenditure during the year 1999-2000 over the Budget Estimate stood at 58.98% which is far from being satisfactory. The reasons put-forth by the Ministry for non-utilisation of funds such as delay in completion of procedural formalities for award of tenders for construction purposes, supply of equipment, non-filling of created posts for Regional Research Standard Laboratories (RRSL) are not satisfying the Committee. In the opinion of the Committee, the Ministry has tried to escape on one pretext or the other which is indicative of their poor monitoring. The Committee, therefore, recommend that the Ministry should make all out efforts for early completion of construction works and filling of vacant posts required for RRSL and should ensure that the amount allocated under BE/RE in a Financial Year should be fully utilised in the same Financial Year in an even manner. Steps taken and progress achieved in this regard should be communicated to the Committee within 3 months time.

CHAPTER II

CONSUMER PROTECTION

Major Head — 3456

The BE and RE 1999-2000 and BE (2000-2001) are as under:—

BE 1999-2000		RE 1999-2000		BE 2000-2001	
Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan
2.54	.79	2.40	.77	3.50	.96

2.2 Consumer movement is a socio-economic one which seeks to protect the rights of the Consumer in relation to the goods purchased and services availed. Government has accorded a high priority to the programme of consumer protection. It has initiated a number of steps to promote a responsible and responsive consumer movement in the country. Such measures include the use of mass media for promoting consumer awareness and encouraging consumers' involvement through voluntary consumer organisations:

2.3 The main objectives of the Consumer Protection programme are:—

- (i) To create a suitable administrative and legal mechanism which would be within the easy reach of the consumers;
- (ii) To involve and motivate various sections of society such as consumer organisations, women, youth etc. to participate in the programmes;
- (iii) To assist, encourage and provide financial assistance to Voluntary consumer organisations to take up various consumer protection activities; and
- (iv) To generate awareness amongst consumers about their rights and responsibilities, motivate them to assert their rights and not to compromise on quality and standards of goods and services and seek redressal in consumer courts, whenever required.

2.4 The Consumer Protection Act, 1986 is a milestone in the history of socio-economic legislation in the country. It provides a separate three tier consumer disputes redressal machinery at the National, State and District level. The Act is intended to provide simple, speedy and inexpensive redressal to the consumer grievances.

(i) Consumer Courts & Fora

2.5 To provide simple, speedy and inexpensive redressal of grievances of consumers, the Government have established a three tier consumer disputes redressal machinery at the National, State and District level. District fora has not been established in the newly created districts. As on date State commissions are not functioning in TN, Manipur and Daman and Diu while the figure for the District fora is 43. The reasons for the non-functioning of such courts is vacant post of Presidents/Members. A OTG (One time grant) for strengthening the consumer courts has been released and about 50% has been utilised so far. The Committee has been informed that the response of the State Government in this regards not encouraging and that the Department will not recommend the cases of such States to the Planning Commission again.

2.6 The position of cases disposed and pending and also cases disposed within 90 days above 90 upto 150 days and above 150 days as made available by Ministry in the State Commission and District Fora is given as under:

Redressal Agency	Cases disposed	Cases pending	Cases decided within 90 days	Cases decided in above 90 days upto 150 days	Cases decided in above 150 days
1	2	3	4*	5*	6*
State Commissions	101045 56%	72878 42%	21604 (21.4 % of total disposal)	19095 (18.9% of total disposal)	49670 (49.2% of total disposal)
District Forums	1051272 81.5%	239072 18.5%	279932 (26.6% of total disposal)	203773 (10.4% of total disposal)	467565 (44.5% of total disposal)

*The total disposal figures may not tally with the break up given at col. 4, 5 & 6, since all States have not given the full information.

2.7 Asked to State the name of District/States that are non-functional due to non-filling of vacant posts of President/Members, the Ministry in their written reply, stated:

"Names of the three State Commissions and the Districts where 43 District Forums are non-functional due to vacant posts of Presidents/Members are given as under. However, this position may change with the continuous efforts being made by the State Governments and U.T. Administrations to fill up vacancies."

State Commissions: 1. Tamil Nadu, 2. Manipur and 3. Daman & Diu.

District Forums:

Sl. No.	State/UT	DF Non-functional	Names of District Forums
1.	Arunachal Pradesh	1	Dibang Valley.
2.	Bihar	14	1. Sitamarhi, 2. Madhepura, 3. Kishanganj, 4. Jamui, 5. Begusarai, 6. Singhbhum West, 7. Garwa, 8. Kathihar, 9. Gopalganj, 10. Hazaribagh, 11. Godda, 12. Rohtas, 13. Navada & 14. Ranchi.
3.	Karnataka	1	Hassan
4.	Maharashtra	2	1. Nagpur & Nagpur Addl. Forum.
5.	Punjab	1	Faridkot
6.	Tamil Nadu	1	Chennai North
7.	Madhya Pradesh	2	1. Rewa and 2. Sehore
8.	Orissa	1	Sundargarh-1.
9.	Uttar Pradesh	15	1. Rudrapur, 2. Karnaul, 3. Aunala, 4. Bagpat, 5. Bageswar, 6. Sant Kabir Nagar, 7. Champawat, 8. Balrampur, 9. Chandauli, 10. Gautam Budh Nagar, 11. Ambedkar Nagar, 12. Meerut, 13. Bareilly-I, 14. Jhansi & 15. Gorakhpur. (For Sl. 1-7 the forums reported notified but posts could not be filled due to non-availability of budget/staff.)
10.	West Bengal	3	1. Jalpaiguri, 2. Coochbehar and 3. Calcutta-II
11.	Daman & Diu	2	1. Daman & 2. Diu.
Total:		43	

2.8 Some of the steps taken by the Central Government including National Commission for speedy disposal of pending cases by the Consumer Courts are as follows:

- (i) To strengthen the infrastructure of the consumer courts, Central Govt. provided one-time-grant of Rs. 61.80 crores, during 1995-96.
- (ii) Regular monitoring of the working of consumer courts.
- (iii) States/UTs are requested to fill the vacant posts of Presidents/Members.
- (iv) Review meetings at the level of Minister/Secretary with the Ministers/Secretaries of the States.
- (v) The Consumer Protection Act, 1986 has been amended in 1991 and 1993. Action is being taken to further amend the said Act, to facilitate quicker disposal of cases.

2.9 The Committee has been informed that the Department of Consumer Affairs does not maintain information regarding ratio of staff and complaints handled.

2.10 Asked whether it is a fact that the Central Government has written to States/UTs to hold periodical meetings with the Presidents of the Consumer Courts to monitor and expedite the disposal of cases and to state the number of meetings held so far and whether the step has resulted in quick disposal of cases and the details thereof the Ministry in their written reply have stated:

"Secretary, Consumer Affairs had a meeting with the Secretaries of the States/UTs on 10.11.97 to review the functioning of the consumer courts in which he advised them to hold similar meetings with the Presidents of State Commissions from time to time. This was followed up with the States/UTs. However, information regarding the number of meetings held by the State Governments is not available.

President, National Commission had a meeting with the Presidents of the State Commissions on 24.1.1994 in which certain guidelines and procedures were circulated for adoption by them for curtailing delays. In the Second meeting of the President, National Commission, with the Presidents of the State Commissions

held on 15.3.1996, it was urged upon them to improve their performance and to utilise the one-time grant in time. A third meeting was held on 11.10.99 where the President again requested the President State Commissions to make all efforts for better functioning of consumer courts and for quicker disposals of cases. They were advised to have minimum adjournments, clubbing of cases and to adhere to prescribed time norms. For better coordination, the Secretaries in-charge of the States/UTs were also invited to the meeting.

The Minister for Consumer Affairs and Public Distribution held regional meetings of Food Ministers in the different regions during January/February, 2000 and in these meetings the effective functioning of Consumer Courts was also discussed.

With the consistent efforts of the Central and State Governments and the National and State Commissions, the disposal of cases in the district fora has shown steady improvement and is presently over 81%."

2.11 Asked whether amendment to the Consumer Protection Act, 1986 is necessary during official evidence, the Secretary, Department of Consumer Affairs, during oral evidence, deposed as:

"We have received a number of suggestions. There are certain portions which, based on the Supreme Court judgement, require amendment. There is lack of clarity. The Law Ministry has also said that if we have to provide more benches at the National Commission level, the existing law does not provide for it. There are certain provision regarding *denovo* proceedings. If a particular court of three members hears a case and in-between if some one happens to go and if somebody else is appointed, the entire cases has to start again. This causes a lot of delay. We have identified those areas which caused delay and the possible solution by which this delay can be reduced. A series of amendments are in the offing."

2.12 The Committee note with great concern that the percentage of cases disposed of by State Commissions and District Fora within 90 days stood at 21.4% and 26.6% respectively which is clearly indicative of the fact that the Government have still not been able to provide speedy redressal of grievances to the consumers. The Committee further note that three State Commissions and 43 District Fora are non-functional due to vacant posts of President/members and also the one time grant released by the Central Government to

the States for strengthening the Consumer Courts has not been fully utilised by some of the States such as Assam, Bihar, Haryana, Jammu and Kashmir, Karnataka, Madhya Pradesh, Meghalaya, Tamil Nadu, Tripura, West Bengal, A & N Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu and Lakshadweep which clearly shows that the Government lacks coordination with the State Governments and their monitoring over the entire scheme have not been up to the mark. The Committee, therefore, strongly recommend that monitoring of the scheme should be further strengthened and the States should be vigorously persuaded to make the 3 State Commissions and 43 District Fora functional by filling the vacant posts of President/ Members without further delay. Also the Consumer Protection Act should be suitably amended so that problems regarding denovo proceedings, establishment of more Benches at the State/National Commission Levels are tackled properly and representatives from Panchayat/Local Bodies are accommodated to enable the consumers to redress their grievances speedily and within the stipulated time.

(ii) Advertisement and Publicity

2.13 In order to generate awareness among consumers and motivate them to assert their right and not to compromise on quality, the Government have been taking a number of steps like audio visual publicity and printed material. A certain amount of the plan fund under consumer protection (Major Head 3456) is earmarked for advertisement and publicity. Approved allocation for the Financial Year 2000-2001 is Rs. 283 lakhs.

2.14 Asked what are the ways and means to generate awareness among the poor illiterate in rural, remote and far-flung inaccessible areas, the Ministry in their written reply, have stated:—

"In order to ensure that the message of consumer protection reaches every citizen of this country especially in the rural areas, the Department has prepared a number of audio-visual programmes and also distributed printed publicity materials free of cost. The important ones are:

- (i) The Department sponsored a weekly radio programme, 'Apne Adhikar', on consumer protection. This is broadcast from various commercial broadcasting stations of AIR in regional languages. This is a 10-minutes weekly programme broadcast through the 30 Vividh Bharati and 15 Primary North East stations of AIR in 10 regional languages for North-east and 12 regional languages on Vividh Bharati stations.

the States for strengthening the Consumer Courts has not been fully utilised by some of the States such as Assam, Bihar, Haryana, Jammu and Kashmir, Karnataka, Madhya Pradesh, Meghalaya, Tamil Nadu, Tripura, West Bengal, A & N Islands, Chandigarh, Dadra & Nagar Haveli, Daman & Diu and Lakshadweep which clearly shows that the Government lacks coordination with the State Governments and their monitoring over the entire scheme have not been up to the mark. The Committee, therefore, strongly recommend that monitoring of the scheme should be further strengthened and the States should be vigorously persuaded to make the 3 State Commissions and 43 District Fora functional by filling the vacant posts of President/ Members without further delay. Also the Consumer Protection Act should be suitably amended so that problems regarding denovo proceedings, establishment of more Benches at the State/National Commission Levels are tackled properly and representatives from Panchayat/Local Bodies are accommodated to enable the consumers to redress their grievances speedily and within the stipulated time.

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(ii) The Department has sponsored a 12 episode teleserial in Hindi on consumer protection entitled, "GRAHAK DOST". this was telecast on Doordarshan from June to September, 1998 every Saturday. The titles of the 12 episodes are given as under:

1. Consumerism and consumer action;
2. Consumer redressal and the Consumer Protection Act, 1986;
3. Insurance;
4. Investments;
5. Telephones;
6. Health and Medical Services;
7. Electricity;
8. Food and Adulteration;
9. Railways;
10. Transport;
11. Weights & Measures; and
12. Airlines.

This tele-serial was the first of its kind in the field of consumer protection. The programme has gained considerable popularity and has been retelecast by Doordarshan three times so far. The programme is now being prepared in regional languages for telecast through the Doordarshan Regional Kendras.

(iii) The Department has brought out the following literature which is distributed free of cost.

- Brochures entitled "Salient Features of Consumer Protection Act, 1986", "Rights of Consumer" and the "the Consumer Protection Act and You".
- Booklets entitled "Help Prevent Adulteration", "Consumer Protection & Weights & Measures", "Directory of Consumer Organisation" and "Directory of Addresses of Redressal Agencies" have been printed. A revised, updated and enlarged version of "Directory of Consumer Organisations" has been reprinted.

- Posters depicting consumer awareness messages.
- Post card size materials on consumer protection.
- Seven booklets on various aspects of consumer awareness in Hindi for use in Adult Education Programme. These will be useful for rural masses and women folk.

In addition, the Department is also bringing out a quarterly journal entitled, "Upabhokta Jagaran" (Consumer Awakening) on consumer protection. This Journal is distributed to consumer organizations free of cost and is popular.

- (iv) The Department undertakes out-door publicity programmes through the DAVP. These programmes include putting up hoardings, cinema slides, decorative railings, bus-back panels, screening through close circuit TV system, computerized animation display and release of newspaper advertisements etc.
- (v) The Department provides financial assistance through Consumer Welfare Fund to the VCOs/NGOs to disseminate consumer related information and create consumer awareness through various activities, particularly in rural areas."

2.15 The Committee note that though the department resorted to audio-visual and printed publicity to spread awareness among the rural, poor, illiterate masses, yet it has not yielded the desired results. The urban poor may have access to TV and radios without being able to read while majority of the rural villages still remain ignorant about their consumer rights. As such the Committee desire that for spreading the awareness about consumers rights, teams of dramatists and artists who stage plays and dramas may be organised by funding the NGOs. The brochures, booklets, literatures and the like materials may be made available in regional and local languages to the NGOs/ Panchayats and any individual who can read. The Committee are unhappy to note that fund from the Consumer Welfare Fund remains unused in areas of low consumer awareness like Arunachal Pradesh, Assam Meghalaya, Mizoram, Tripura, A&N Islands and Lakshadweep. The Committee, therefore recommend that consumer awareness programmes be taken up vigorously throughout the country. No fund allocated for the purpose should remain unutilised and more funds be made available for the purpose.

CHAPTER III

CONSUMER COOPERATIVES

Major Head 3456

Consumer Cooperatives are playing an important role in providing essential and other commodities to the public at reasonable prices. The presence of consumer cooperatives not only helps in strengthening the distributive network of essential commodities but also protects against artificial scarcity of goods by private traders, overcharging of prices, supply of substandard goods etc. The very presence of consumer cooperatives have a sobering effect on open market prices of essential commodities.

3.2 As a policy, the Government of India have been encouraging the development of consumer cooperatives so as to protect the interests of the common consumers in the country.

3.3 The consumer cooperatives have a four tier structure comprising primary consumer stores with branches functioning at the grass-root level, the wholesale/central consumer stores with their branches at district/taluka level, the State Consumer Cooperative Federations at the State level and the NCCP of India Ltd., at the national level. However, in the States located in the North East and in the smaller States/U.Ts composite State level consumer-cum-marketing federations which deal with consumer articles also, are functioning. In the rural areas, the distribution of consumer goods is handled by the viable Large Sized Agricultural Multi-Purpose Cooperative Societies (LAMPS) and/or Primary Agricultural Credit Societies (PACS) at the retail level.

3.4 The BE & RE of 1999-2000 and BE of 2000-2001 are as shown below:

(Rs. in crores)					
BE (1999-2000)		RE (1999-2000)		(BE 2000-2001)	
Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan
8.00	2.00	—	15.60	—	2.10

(i) National Cooperative Consumers Federation (NCCF)

3.5 The National Cooperative Consumers Federation (NCCF) is the apex body of consumer cooperatives in the country with the objective of providing supply support to consumer cooperatives particularly its members in the distribution of consumer goods and also rendering technical and promotional guidance and assistance for increasing operational and managerial efficiency of consumer cooperatives stores. NCCF had not been received Government assistance during the years 1997-98 and 1998-99.

3.6 The NCCF started to incur losses since some years back. The main reasons for the past losses as identified by the expert group constituted are:

- (a) High establishment cost
- (b) Huge loan liability
- (c) Non-availability of working capital
- (d) In-sufficient business turnover
- (e) Poor performance of the branches.

3.7 Asked whether the Government conducted any study internally or through outside agency to know the reasons for the losses suffered in the past and if so whether any responsibility has been fixed on erring officials of NCCF in this regard, the MD, NCCF during official evidence stated as:—

"The Government of India had appointed an Expert Group in 1997 to study the working of NCCF. The NCCF had been incurring losses at that time. The Committee was expected to

analyse those reasons for losses and suggest remedial measures. This Committee in its report submitted a number of recommendations, primarily for restructuring of the administration set up of NCCF, reducing the staff force, development of commercial activities and reducing the loan liabilities. Based on those recommendations, we have taken action on almost all the points. Because of that, NCCF has turned around and since last year we have been able to earn profits after meeting all our expenses. In the current year, we will be wiping out the entire loan liability with the bank. Our personnel efficiency will go up further and our profitability for this year and next year will also increase substantially."

3.8 Asked whether NCCF have any concrete and pragmatic plan to prevent any loss in future, the Ministry, in their written reply, have stated:—

"NCCF has taken a number of steps to improve its working and prevent losses in future. Some of the major steps taken by the NCCF are as follows:

- (i) NCCF introduced a Voluntary Retirement Scheme. A total number of 346 employees were relieved under the VRS upto 31.1.2000. As a result of introduction of VRS and other measures, the staff strength of NCCF reduced to 620 from 1089, which resulted in a saving of Rs. 2 crores p.a. in Establishment Expenses.
- (ii) A complete ban has been imposed on recruitment in NCCF.
- (iii) The working of all branches and depots etc. were reviewed and 8 uneconomical units were closed and 4 branches were converted into Depots and Liaison Offices.
- (iv) A detailed business work programme was prepared for development of commercial activities. The turnover of NCCF, which was Rs. 78 crores during 1994-95, increased to Rs. 298 crores during 1998-99. The NCCF expects to achieve a turnover of around Rs. 315 crores during 1999-2000.

- (v) The entire loan liability of the NCCF with the banks which was more than Rs. 13 crores as on 31.3.97 was settled during the current year. NCCF does not have any loan liability with the bank as of now. NCCF will exercise strict control on the loans, particularly for its working capital requirement, to avoid interest liability and consequential losses.
- (vi) NCCF will avoid large scale inventory holdings to avoid carrying cost and losses.
- (vii) Efforts will be made to utilise the processing capacities of its processing units to the maximum to obtain optimum results.
- (viii) NCCF proposes to broad-base its arrangement for distribution of selected items of consumer goods for further improvement in its commercial activities."

3.9 Asked whether NCCF has been able to achieve its objectives in regard to benefit the poor consumer and to comment alongwith details of monitoring being done by the Government over the functioning of NCCF, the Ministry, in their written reply, have stated:—

"The working of the NCCF has improved considerably over the years. It has been earning net profits since last 3 years. The NCCF has taken up distribution of various items of essential consumer goods such as Iodised Salt, Tea, Toilet & Washing Soap, Pulses etc. in different States. Its retail units have also been supplying various items of consumer goods at reasonable prices for the benefit of common consumer.

The NCCF submits monthly reports on its working to the Ministry. The Ministry has been monitoring the working of the NCCF by analysing its monthly working results as also through periodical reviews. GoI has nominated two senior Government officials in the Department of Consumer Affairs as Government nominees on the Board of NCCF. These officials advise and guide the discussions on various issues in the meetings of the BoD and other sub-committees to which they belong to."

3.10 Asked whether there is any proposal to close down loss making branches of NCCF, the Ministry, in their written reply, have stated:—

"All of the branches of NCCF had earned profits during 1998-99. The performance of the branches of the NCCF in the current year is under constant review. The NCCF has worked out a time schedule to improve the working of some of its branches who have been incurring marginal losses in the current year. A decision will be taken to close down the units which are considered to be economically unviable."

3.11 The Committee observe that as an apex body of Consumer Cooperatives in the country in providing supply support and rendering technical and promotional guidance and assistance to Consumer Cooperatives, the role of NCCF is very important for the benefit of the common man. NCCF, however, suffered losses due to poor performance of some of its Branches and inferior managerial skills for which the Government had to constitute an expert group in Dec'96 to study and examine its commercial and financial problems and to suggest remedial measures. The Committee note that all the Branches of NCCF earned profits during 1998-99 and the performance of the Branches in the current year is under constant review of the Ministry. The Committee are, therefore, of the opinion that the Government should monitor the performance of NCCF vigorously and implement the recommendations of the expert group in letter and spirit to ensure that the Federation does not suffer any loss in future. Also the proposal for distribution of certain essential core commodities through Public Distribution System, Consumer Cooperative and Civil Supplies Corporations at fixed and reasonable prices should be finalised soon in consultation with the State Agencies so that the NCCF should earn profits. Steps taken and progress achieved should be communicated to the Committee within three months time.

(ii) Super Bazar

3.12 The Super Bazar, established in 1966 with a view to provide essential consumer goods and other items of daily needs at reasonable prices in the NCT of Delhi, started running in losses since the Financial Year 1996-97. There is high establishment cost and pressure from the staff for pay review which had to be yielded. The staff strength is three times its requirement. Election to the Board of Directors is long over due.

3.13 On the question of the reasons for Super Bazar running into losses when it had been earning profits some times back and the remedial steps taken by the Government, in this regard, the Ministry, in their written reply have stated as follows:—

“The main reasons for losses as identified by the Super Bazar are as under:

- (i) The declining trend of total sales as a result of which the total gross income has reduced.
- (ii) The increasing trend of expenditures, particularly of establishment expenditure. It may also be added that Super Bazar has partially implemented the recommendations of Fifth Pay Commission from June, 1998 which has also resulted an increase in expenditure by Rs. 3 crores in the financial year 1998-99.
- (iii) Having excess number of employees.
- (iv) Running of unviable branches.

The Super Bazar is an autonomous cooperative organisation having a BoD to take decisions on business and administrative matters. The Super Bazar has however been asked to draw up an action plan for its revival which is yet to be received from Super Bazar after being considered by their BoD.”

3.14 Regarding election for BoDs of Super Bazar, the Ministry has furnished the following information:—

“The Super Bazar has informed that out of total of 72 constituencies, the electoral rolls for 57 constituencies are ready. Inspection of polling stations will be done in 2/3 days time. A team of officials has been provided to Shri M.L. Jain, Retd. Registrar Delhi High Court who has been appointed as the Returning Officer by the Hon. Delhi High Court for conducting the election. As per the directive given by the Hon. Delhi High Court on 3-3-2000, the notification for holding the election was to be issued within 15 days from the date of order. The Super Bazar has informed that all steps have been taken by them in this regard in conformity with the directions given by the Hon. Delhi High Court. The date of holding the elections will be notified by the Super Bazar after getting the same approved in a meeting of the BoD.”

3.15 On the irregularities committed by the officers and staffs of the Super Bazar, the Ministry has furnished the following information:—

**SUPER BAZAR
THE COOPERATIVE STORE LTD.
NEW DELHI**

Period from 1st January, 1997 to 31st December, 1999

S.No.	Name of Irregularity	Amount Recovered	Persons Involved	Remarks
1	2	3	4	5
1.	Misappropriation of Super Bazar funds	Rs. 6572.00	1. Shri Shyam Shankar, SA	Misappropriation proved & penalty imposed, amount recovered.
2.	Fraud while making Cash memo	—	2. Shri Narendra Kaushik, SA 3. Shri Ram Sagar, pecher	Misappropriation proved & penalty imposed.
3.	Misappropriation of Super Bazar funds	Rs. 93,871.00	4. Smt. Sumande Chatterjee Branch Incharge 5. Shri Kuldeep Jain, SA 6. Shri P. Prasad, SA 7. Shri Dhimender, Helper	Misappropriation proved & penalty imposed, amount recovered.

1	2	3	4	5
4.	Misappropriation of Super Bazar funds.	Rs. 1,41,000.00	8. Shri A.P. Marichala, SA	Misappropriation proved & penalty imposed, amount recovered.
5.	Misappropriation in Provident Fund account	Rs. 940.00	9. Shri Anantjeet, Sr. Acctt.	—do—
6.	Purchase of Substandard Surge	—	10. Shri Anand Mohan, Manager	Misappropriation proved & penalty imposed.
7.	Misappropriation of sales proceeds	—	11. Shri Dattatraya Sharma, SA	—do—
8.	Misappropriation of sales proceeds	—	12. Shri Kuldev Singh, SA	—do—
9.	Misappropriation of Super Bazar funds.	Rs. 27,384.00	13. Shri H.C. Raj, Sr. Supervisor	Misappropriation proved & penalty imposed, amount recovered.
10.	Misappropriation of Super Bazar funds	Rs. 20,000.00	14. Shri Hukam Chand, Helper	Misappropriation proved & penalty imposed, amount recovered.
			15. Shri Jitender Kumar, Helper	Misappropriation proved & penalty imposed, amount recovered.
			16. Shri Braham Pal Sharma, SA	
11.	During surprise checks 24 bags Atta were found short	—	17. Shri Parul Ram, SA	Misappropriation proved & penalty imposed.

1	2	3	4	5
12.	Goods taken without cash memo	—	18. Sh. S.P. Jaggi, SA	Misappropriation proved & penalty imposed.
13.	Mishandled with the Customers	—	19. Sh. S.P. Jaggi, SA	—do—
14.	Not provided the proper documents to Vigilance Deptt. of Bundara	—	20. Sh. B.R. Sethi, SA	—do—
15.	Supplied Sub-standard steel trunks	—	21. Sh. Vinit Saria, ACM	Inquiry in progress.
16.	Misappropriation of Super Bazar funds	Rs. 1,16,206.00	22. Sh. K.C. Gulati, SA	Misappropriation proved and penalty imposed, amount recovered.
			23. Sh. V.P. Singh, SA	
			24. Sh. K.B. Singh, SA	
			25. Sh. Kiren Pal Singh, Helper	
17.	Submitted forged medical certificate	—	26. Sh. Kuldeep Jain, SA	Inquiry in progress.
18.	Goods taken without cash memo	—	27. Sh. Jagat Singh, SA	Misappropriation proved & penalty imposed.

1	2	3	4	5
19.	Misappropriated in a Credit bill	Rs. 34,500.25	28. Sh. Shashi Kant, SA 29. Sh. Seetdev, Packer 30. Sh. Gopal Kishan, Jr. SA 31. Shri Suresh, Helper	Inquiry in progress.
20.	Misappropriation of Super Bazar funds	Rs. 16,74.28	32. Sh. Ram Nihua, SA 33. Sh. Prem Chand, SA 34. Sh. Arjun Parbhad, Helper	Inquiry in progress.
21.	Excess rate charged	—	35. Shri R.N. Jha, SA	Inquiry in progress.
22.	Misappropriation of sale proceeds	—	36. Sh. Suresh Malik, Jr. SA.	—do—
23.	Misappropriation of Super Bazar funds	Rs. 50,508.15	37. Smt. Anita Rawat, SA, 38. Sh. R.S. Rana, SA, 39. Sh. R.P. Pandey, Acctt. Asstt.	Inquiry in progress.
24.	Deliberately changed the rate in inventory sheet	—	40. Late Sh. R.C. Sharma Asstt. Manager 41. Sh. D.P. Sharma, SA	Inquiry in progress.

1	2	3	4	5
25.	Not followed the procedure of store while receiving the goods	—	42. Sh. Satpal Mann, SA	Inquiry in progress.
26.	Misappropriation in purchase	Ra. 4,82,094.15	43. Sh. R.C. Chel, SA	—do—
27.	Misappropriation in purchase	Ra. 4,82,094.15	44. Sh. Vijay Kumar, AGM	—do—
28.	Fail to maintain sales tax record	—	45. Sh. H.S. Rao, Manager	Inquiry in progress
			46. Sh. Naval Kashore Malhotra, Sales Asstt.	
			47. Sh. Raj Pal Singh, Acctt. Asstt.	
29.	Misappropriation of Super Bazar funds	Ra. 11,77,000.00	48. Sh. Ashok Arora, Acctt. Asstt.	Inquiry in progress.
30.	Excess rate charged	—	49. Sh. Bhagwan Dass, SA	Inquiry in progress.
31.	By introduction of total brand salt favour was extend to the party	—	50. Smt. Pushpa Nigpal	Inquiry in progress.
32.	Award of contract to M/s. Bharwah Flour Mill	—	51. Sh. Rama Kant, EX-MD 52. Sh. Vijay Kumar, DGM	Change-sheet already served. Change-sheet for departmental inquiry is being issued.

1	2	3	4	5
33.	Award of contract to M/s. Batawah Flour Mill		53. Sh. Vaid Sarda, AGM	Change-sheet for departmental inquiry is being issued.
			54. Sh. Shyam Sunder, Mgr.	--do--
			55. Mrs. Premila Mehra, AM	--do--
34.	Irregular promotion	—	56. Sh. Vijay Kumar, DGM	Case Sub-judicious
35.	Irregular sale of cotton	—	57. Sh. C.K. Bhasia, Mgr.	Advise from CVC for action still awaited.
			58. Sh. V.K. Malhotra, Jr. Supervisor	
			59. Sh. Kuljeet Singh, Sales Asstt. now	
			60. Smt. Veera Rajpal, Sr. Steno	
36.	Award of contract to M/s. Mahamaya Foods	Rs. 9 crores	61. Sh. Sujit Banerjee, IAS, EX-AMD	Change-sheet being issued as advised by CVC
			62. Sh. R.D. Srivastava, EX-DGM, presently Director, NDMC	--do--

1	2	3	4	5
37.	Misappropriation of Super Bazar Funds	Rs. 1,48,000/-		
63.	Sh. T.N. Boley, Mgr.			Chargesheet being issued as advised by CVC
64.	Sh. Vinat Sarin, AGM			-do-
65.	Sh. Ravi Bahl, Sr. Supervisor			-do-
66.	Sh. J.K. Gang, Asstt. Acct.			-do-
67.	Sh. Madanesh Kashyap, Sr. SA			-do-
68.	Sh. Gopal Krishan, Acct. Asstt.			-do-
69.	Mrs. Suroj Awasthi, S.A. In-ct.			Show-cause notice served for removal from service
70.	Sh. Dharam Pal, Jr. SA			-do-
71.	Sh. Om Prakash, Packer			-do-
72.	Sh. Prem Chand, Helper			-do-

3.16 Asked to furnish details of omission and Commission that have come to the notice of the Government in regard to functioning of Chairman and Vice Chairman of the Super Bazar, the Ministry have furnished as:—

"Some of the omission and Commissions which come to the notice of the Government against former Chairman and Vice Chairman of the Super Bazar are as under:—

- (i) Continuous interference in the business and administrative matters of the Super Bazar.
- (ii) Irregular appointments and promotions given in the Super Bazar.
- (iii) Usurping all the powers of the BoD and not holding the meetings of the BoD as per the provisions of the bye-laws of the Super Bazar.
- (iv) Making irregularities committed in the purchase of commodities in the Super Bazar.
- (v) Usurping the powers of the MD, Super Bazar, etc."

3.17 Asked whether the Government feel that their monitoring in regard to functioning of Super Bazar has been to the mark and to comments, the Ministry, in their written reply, have stated:—

"As explained above, the Super Bazar is an autonomous cooperative organisation having its own BoD to decide about its business and other administrative matters. The GoI had stopped releasing financial assistance to the Super Bazar, Delhi *w.e.f.* 1997-98. Due to the monitoring undertaken by the Government, irregularities committed by the then Chairman and Vice-Chairman were detected and necessary remedial action taken like inquiry under Section 69 of the MCSC Act '84 by CRCS, removal of the non-official members of the BoD and appointing senior officials of the Government to hold the post of Chairman and Vice-Chairman of the Super Bazar etc. Seven cases covering various types of irregularities have also been recently referred to the CBI for investigation."

3.18 The Committee note that the Super Bazar, established in 1966 with a view to provide essential commodities at reasonable prices to consumers in and around Delhi has earned a bad image during the recent times for inferior quality and unreasonable prices of commodities in some of its Branches. As such, the consumer have turned to open market thereby leaving behind Super Bazar as an unviable organisation. They further note that the Super Bazar had to suffer huge losses due to a number of embezzlements, misappropriation, fraud, irregularities committed by its officers and staff. Also election to its Board of Directors has not taken place so far. The Committee have been informed further that its former Chairman and Vice-Chairman committed a number of omission and commissions such as continuous interference in the business and administrative matters, irregular appointments and promotions, irregularities in the purchase of Commodities etc. due to which they were changed from their positions in the past frequently. The Committee opine that the Ministry's monitoring over this issue has been very poor and negligible. The Committee view this situation very seriously. The Committee, therefore, strongly recommend that the Government should take immediate steps to ensure that the guilty officers and staff against whom enquiries are pending since long are convicted expeditiously and the amount embezzled by them are recovered without further delay. Also the election to the Board of Directors should be held at the earliest so that decision regarding its placement with the Government of National Capital Territory of Delhi is arrived at. In the meantime, the Committee urge the Government to devise ways and means to run the Branches of the Super Bazar in profit so that the very purpose of its establishment is not defeated.

CHAPTER IV

(i) Bureau of Indian Standards

Major Head: 2852

The Bureau of Indian Standards has been functioning as a statutory body under the Bureau of Indian Standards Act, 1986, with effect from 1 April, 1987 promoting and nurturing the standardisation movement in the country. Its functions are closely related with that of weights and measures unit.

4.2 The BE & RE (1999-2000) and BE (2000-2001) are as follow:-

(Rs. in Crores)

BE 1999-2000		RE 1999-2000		BE 2000-2001	
Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan
2.45	—	0.65	—	2.95	—

4.3 The Packaged Commodities Rules, 1977, formulated under the standard of weights and measures act, 1976, require mandatory declaration relating to (i) name and address of the manufacturer or packer, (ii) name of the commodity in the package, (iii) net quantity in standard unit of weights and measures, (iv) month and year of packing, (v) retail sales price in the form "MRP..... inclusive of all taxes", and (vi) size of the commodity, if relevant which are enforced by the state Governments.

4.4 Asked about the steps Government have taken to ensure the right quality quantity and price of goods bearing ISI mark to the consumers. The Secretary of the Department during the official evidence, have stated:

"We have held several meetings on this with the representatives of the trade, represented by CII, FICCI and ASSOCHAM and also consumer representatives. The consumers wanted the cost price and the selling price to be printed but this was not

acceptable to the trade, particularly consumer trade. They objected that nowhere in business the cost price is given to the consumer. They said that business would come to a standstill and so it was not possible for them to do that.

The Ministry is not keen to destroy business. We are not against manufacturers or businessmen. We want to see that the consumer is not exploited. So, we pointed out this specific fact that the MRP is not the price at which the package is sold. Several businesses have printed an MRP on their packages and selling their products at a much lesser price. We found out after deliberations that the best method is to charge excise duty on the basis of MRP. We persuaded the Department of Revenue to do so. They picked up 70 items on which the excise duty was to be levied on the MRP. This had a salutary effect. Immediately, the prices were brought down.

This year, in the Budget speech, the Hon'ble Minister of Finance has stated that the Government is aware of this MRP problem and so it is extending this to more commodities. This has an effect on trade and business. Several people are now restricting their MRP and we have also asked them to consider printing the MRP in such a way that the retail trade profit is clearly available to the consumers. They have said that they will themselves work it out and come with a solution. We have formed a small group to give suggestion on how this can be done legally without bringing any amendments. We are working on it and we are getting co-operation from the consumers as well as the trade to solve this problem so that a reasonable MRP is printed. We do not want to fix the level of profit or do anything like that. We do not want to interfere with the business. At the same time, we want to ensure that this is not exploited by the retailers. I am sure, we will soon come to an understanding. The case of highly exaggerated prices is coming down because of linking excise duty with MRP."

4.5 The BIS has taken up the construction of building for the National Institute of Training for Standardization and quality management with the aim to impart training in all fields of standardization and quality management since FY 1997-98. The boundary wall is yet to be completed. Due to delay caused by the CPWD, the Government proposed to award the work to a PSU in January, 2000. The work order is likely to be given by the middle of April, 2000.

4.6 Asked the reasons for not awarding the construction work of the training institute of BIS at Noida in the FY 1999-2000 and about the monitoring being done by the Ministry, the latter stated in their written reply as:—

"The work of construction of the boundary wall of the Training Institute of BIS at Noida was entrusted to CPWD and entire remittance for the work was made in October 1998. due to the slow progress made by CPWD in this regard, a meeting was taken by Secretary (Consumer Affairs) on 12.5.99 with Chief Engineer, CPWD, Architect, DGBIS and others in which it was decided that the construction of boundary wall would start in 7 days and it would be completed in October, 1999. In pursuance of this decision, CPWD initiated the work soon thereafter for construction of the boundary wall. Thus, there was inordinate delay on the part of CPWD in executing the construction of the boundary wall. In the meeting on 12.5.99 taken by Secretary (Consumer Affairs), it was also decided that as regards the building, DGBIS would hold discussions with CPWD. Accordingly, BIS held discussions with CPWD and in the light of these, it was felt by BIS that CPWD may not be in a position to carry out the work within the requisite time frame and hence a proposal was mooted by BIS for awarding the work to a PSU. After concurrence by Planning Commission, this proposal of BIS was approved by the competent authority in January 2000. Thereafter, tenders were floated by BIS in February, 2000. Tender enquiries have been received from PSUs in March 2000 and the same are under active consideration of BIS for awarding the work. As the award of contract could not be finalised in March, 2000, RE of Rs. 20 lakhs could not be utilized. The award of contract is expected to be finalised in April, 2000. It would be observed from the above facts that monitoring of this project was done by the Department. Non-utilisation of BE and RE 1999-2000 was thus mainly due to delays on the part of CPWD and the consequential decision to shift from CPWD to PSU which necessitated the due procedure of floating of tenders, etc. The BIS has been informed that cost escalation will have to be borne from their funds."

4.7 The Committee appreciate the right steps taken by the Ministry in persuading the Department of Revenue to link excise duty with Maximum Retail Price (MRP) on various goods, which has resulted in bringing down the exaggerated prices to lower levels. The Committee are however, still apprehensive that the traders will now switch on to overcharging by under weighing the goods sold to consumers. The Committee, therefore desire that the Government should devise concrete measures in consultation with the State Governments to ensure that the goods bearing ISI mark are not underweight and also the consumers are not overcharged and the goods are not of inferior quality. Also efforts should be made to include more goods in the list linking excise duty with MRP.

4.8 The Committee note with much concern the slow progress in the construction of NITSQM, Noida due to shifting of the award of contract from CPWD to a PSU. The Committee, therefore, desire that utmost care should be taken in selecting the firm to avoid unnecessary delay in the construction work. Also monitoring of the work should be intensified further so that the training institute is operationalised within the shortest possible period of time.

(ii) Regulation of Weights and Measures

Major Heads : 3475 & 5475

4.9 The regulation of weights and measures, in the country are done through the Standards of Weights and Measures Act, 1976 and the Standards of Weights and Measures (Enforcement) Act, 1985. Through these legislation, the Government ensure that all weights and measures used in trade, transaction, industrial production or protection of human health and safety are accurate and reliable so that users are guaranteed accuracy of their performance. This in turn enable the consumers to get right quality/quantity of goods for which they are paying.

4.10 The BE and RE 1999-2000 and BE 2000-2001 are as follows:—

(Rs. in Crores)

BE 1999-2000		RE 1999-2000		BE 2000-2001	
Plan	Non-Plan	Plan	Non-Plan	Plan	Non-Plan
2.00	1.09	1.44	1.16	2.42	1.43

4.11 During the recent time the Department has undertaken building construction of RRSLs at Faridabad, Bhubaneswar and Guwahati. Augmentation of the infrastructure of the existing RRSL's at Ahmedabad is going on. The performance in most of these projects are dismal. There has been cost escalation in the construction of RRSL Bhubaneswar which has been compensated by way of reappropriation from the unutilised amount from the one at Faridabad thanks to the delay in the execution of the work in the latter. The project at Guwahati has not yet started at all. As for the RRSLs at Ahmedabad and Bangalore purchase of equipments are still underway. Most of these projects have started since the financial year 1997-98.

4.12 Asked to furnish the physical target set for and achievement thereof since 1997-99 and reasons for shortfall, if any, yearwise for RRSL, Faridabad alongwith targets fixed for 2000-2001, the Ministry have stated thus:—

Year	Physical target	Achievement	Reason for shortfall
1997-98	Construction of compound wall.	Nil	Delay in handing over of land by State Govt.
1998-99	To raise compound wall and prepare designs for building.	Compound wall constructed and preparation of designs in final stage.	Nil
1999-2000	To raise the construction upto plinth level.	Only digging has been done.	Technical problems encountered during water analysis at the site.

4.13 The information regarding RRSL at Bhubaneswar as received from the Ministry is:—

Year	Physical target	Achievement	Reason for shortfall
1997-98	To complete construction upto plinth level.	Construction commenced.	Delay in construction by CPWD due to court case.
1998-99	To bring construction upto 11nd Floor.	Construction upto 11nd floor completed.	Nil
1999-2000	To complete construction.	Nearing completion.	Nil

4.14 The Committee are distressed to note that the progress of construction of RRSLs at Faridabad, Bhubaneswar and Guwahati and also agumentation of the infrastructure of existing RRSL at Ahmedabad has so far also been dismal though the work on the projects started during the financial year 1997-98. The reasons put forth by the Ministry for the delay in the completion of the projects such as delay in handing over the land by State Government, delay in construction by CPWD due to court case and due to technical problems encountered during water analysis at the site are not at all satisfactory. In the opinion of the Committee the Ministry has not attached due importance to the projects and has not even taken up the issue with the Ministry of Urban Development at appropriate level which has virtually resulted in cost and time overruns. The Committee view this situation very seriously. The Committee, therefore, recommend that the Ministry should make all out efforts for completion of the projects without further loss of time by taking up the issue with the Ministry of Urban Development at the highest level. Steps taken and progress achieved should be communicated to the Committee within three months.

CHAPTER V

ESSENTIAL COMMODITIES

The Essential Commodities Act, 1955 was enacted to ensure easy availability of essential commodities to consumers and to protect them from exploitation by traders. The Act provides for regulation and control of production, distribution and pricing of commodities which are declared as essential under the Act. This Act had been made more stringent through the Essential Commodities (Special Provision) Act, 1981.

5.2 Since the Act, 1981 had lapsed on 31.8.1997, one ordinance after another has been passed. The Bill for amending the Act has been introduced during the on going session of Parliament.

5.3 In order to prevent unethical trade practices like hoarding and black-marketing, etc., the Prevention of Black-marketing and Maintenance of Supplies of Essential Commodities Act, 1980 is being implemented by the State Governments to detain persons whose activities are found to be prejudicial to the maintenance of supplies of essential commodities essential to the community.

5.4 While the Essential Commodities Act, 1955, is punitive in nature, the Prevention of black-marketing Act, 1980 is preventive in nature.

5.5 Asked about the steps the Government have taken to prevent black-marketing, hoarding, etc., the Ministry in their written reply, have stated:—

"The State Governments are impressed upon from time to time to make full use of the Essential Commodities Act, 1955 and the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980 so as to prevent blackmarketing and hoarding of essential commodities."

5.6 Asked whether the Government have reviewed or proposed to review the Acts to have a full-proof check on the malpractices like black-marketing, hoarding and adulteration. The Ministry, in their written reply have stated as:—

"The Essential commodities (Amendment) Bill, 2000 has been introduced in the Lok Sabha on 8.3.2000. The Bill seeks to make the provisions of the Essential Commodities Act, 1955 more effective and deterrent against hoarders and blackmarketeers."

5.7 When asked about information regarding the number of raids made or number of convictions made, the Secretary, Department of Consumer Affairs stated that State Government is the implementing authority and that they will give the information for all these years. The year-wise action taken under Essential Commodities Act, 1955 as furnished by them later, is contained in Annexure-IV.

5.8 The Committee take a serious note of the fact that the number of inquiries made regarding hoarding, black-marketing, etc. and convictions made under the Essential Commodities Act, 1955 are far from being satisfactory due to the fact that the number of persons convicted has come down from 6379 in 1997 to 1273 in 1999. In the same way the number of persons prosecuted has come down from 8320 in 1996 to 3048 in 1999 whereas the number of persons arrested has been considerably increasing from 4560 in 1996 to 6457 in 1999. Keeping in view the fact that a number of essential commodities are being blackmarketed by the traders to enrich themselves, the Committee, strongly, urge the Government to get the Essential Commodities (Amendment) Bill, 2000, as introduced in the Lok Sabha, re-considered seriously in order to eradicate nexus of the black-marketeers, hoarders and adulterators.

NEW DELHI;
17 April, 2000
28 Chaitra, 1922 (Saka)

DEVENDRA PRASAD YADAV,
Chairman,
Standing Committee on Food,
Civil Supplies and Public Distribution.

PART II

MINUTES OF THE FOURTH SITTING OF THE STANDING COMMITTEE ON FOOD, CIVIL SUPPLIES AND PUBLIC DISTRIBUTION HELD ON TUESDAY THE 22ND MARCH, 2000

The Committee sat from 14.40 to 17.40 hours.

PRESENT

Shri Devendra Prasad Yadav — *Chairman*

MEMBERS

Lok Sabha

2. Shri A.P. Abdullakutty
3. Prof. S.P. Singh Baghel
4. Shri Ranen Barman
5. Shri Sujan Singh Bundela
6. Shri Namdeorao Harbaji Diwathe
7. Shri Rameshwar Dudi
8. Shri Abdul Hamid
9. Shri Jai Prakash
10. Shrimati Preeti Kaur
11. Shri Brijlal Khabri
12. Shri Shyam Bihari Mishra
13. Shri Sisram Ola
14. Shri Mansingh Patel
15. Shri Laxmanrao Patil
16. Shri Biju Banerjee
17. Shri Vishnu Dev Sai
18. Shri Abdul Rashid Shaheen
19. Shri Kodikunnil Suresh
20. Shri Akhilesh Yadav

Rajya Sabha

21. Shri Lajpat Rai
22. Shri M.A. Kadar

SECRETARIAT

1. Shri Krishan Lal — Deputy Secretary
2. Shri R.S. Mishra — Under Secretary

WITNESSES

**Ministry of Consumer Affairs and Public Distribution
(Department of Consumer Affairs)**

1. Shri K. Srinivasan — Secretary (CA)
2. Shri C.S. Rao — AS & FA
3. Shri S. Nautiyal — Addl. Secretary (CA)
4. Shri F.S. Das — DG (BIS)
5. Shri T.T. Adhikari — MD (NCCF)
6. Shri P. Mitra — MD (Super Bazar)
7. Shri P.A. Krishnamoorthy — Dir. (W&M)
8. Shri S.P. Nayyar — CVO (Super Bazar)

2. At the outset, the Chairman welcomed the representatives of the Ministry of Consumer Affairs and Public Distribution (Department of Consumer Affairs). The Chairman then asked the Secretary concerned to introduce his colleagues and the Secretary introduced his colleagues.

3. The Committee then discussed with the representatives of the Ministry of Consumer Affairs and Public Distribution (Department of Consumer Affairs) the various points mentioned in the List of Points. The queries of Members were resolved by the representatives. The evidence was concluded.

3. A verbatim record of the proceedings has been kept.

The Committee then adjourned.

**MINUTES OF THE SEVENTH SITTING OF THE
STANDING COMMITTEE ON FOOD, CIVIL SUPPLIES AND
PUBLIC DISTRIBUTION HELD ON TUESDAY, THE 11TH APRIL, 2000**

The Committee sat from 11.40 to 15.00 hours.

PRESENT

Shri Devendra Prasad Yadav — *Chairman*

MEMBERS

Lok Sabha

2. Shri A.P. Abdullakutty
3. Shri Shyamlal Bansiwai
4. Shri Namdeo Rao Harbaji Diwathe
5. Shri Abdul Hamid
6. Shri Jal Prakash
7. Shrimati Preneet Kaur
8. Shri Brijlal Khabri
9. Shri Shyam Bihari Mishra
10. Shri Aditya Nath
11. Shri Sisram Ola
12. Shri Abdul Rashid Shaheen
13. Shri Tejveer Singh
14. Shri Rama Mohan Gadde

Rajya Sabha

15. Shri Lajpat Rai
16. Shri Dawa Lama

SECRETARIAT

- | | | |
|---------------------|---|-------------------------|
| 1. Shri Krishan Lal | — | <i>Deputy Secretary</i> |
| 2. Shri R.S. Mishra | — | <i>Under Secretary</i> |

(i) Consideration and adoption of Draft Fourth Report.

2. The Committee, then, considered the Draft Fourth Report on Demands for Grants (2000-2001) relating to the Department of Consumer Affairs, Ministry of Consumer Affairs and Public Distribution. The Committee adopted the report with certain modifications.

(ii) Consideration and adoption of Draft Fifth Report.

3. ** ** ** **

(iii) Consideration and adoption of Draft Sixth Report.

4. ** ** ** **

5. The Committee then authorised the Chairman to make consequential changes arising out of the factual verification of the reports by three Departments of Ministry of Consumer Affairs and Public Distribution and present/lay the same in both the Houses of Parliament.

The Committee then adjourned.

** Not related to this report.

ANNEXURE I

ACTION TAKEN UNDER ESSENTIAL COMMODITIES ACT, 1955 BY STATES/UTS
DURING THE YEAR 1995 W.E.F. 1.1.1995 TO 31.12.95

Sl. No.	State/UT	No. of raids made	No. of persons arrested	No. of persons prose- cuted	No. of persons convic- ted	Value of goods confis- cated (Rs. in lakhs)	Reported upto
1	2	3	4	5	6	7	8
1	Andhra Pradesh	997	1383	11	10	624.56	December
2	Assam	1063	—	1	—	17.45	December
3	Arunachal Pradesh	—	—	—NIL—	—	—	December
4	Bihar	295	27	36	10	6.48	November
5	Gujarat	6366	6785	52	—	487.10	December
6	Goa	12	—	—	—	0.73	December
7	Haryana	134	12	—	—	0.46	October
8	Himachal Pradesh	—	—	—	—	—	October

1	2	3	4	5	6	7	8
9.	Jammu & Kashmir	136	132	—	2	0.03	September
10.	Karnataka	954	11	—	—	4.48	March
11.	Kerala	13469	—	1	—	0.30	October
12.	Madhya Pradesh	3823	14	56	102	119.41	December
13.	Maharashtra	217	37	19	3	16.50	February
14.	Manipur	15	28	28	—	—	November
15.	Meghalaya	39	—	—	—	—	December
16.	Mizoram	125	—	—	—	—	December
17.	Nagaland	—	—	—	—	—	December
18.	Orissa	154	12	24	57	9.98	October
19.	Punjab	38362	2	2	—	—	December
20.	Rajasthan	854	10	201	73	31.34	December
21.	Sikkim	12	16	—	—	1.09	July

1	2	3	4	5	6	7	8
22.	Damul Nadiu	11029	130	3271	3236	104.73	December
23.	Thipura	35	15	5	—	0.06	December
24.	Uttar Pradesh	69040	49	—	—	240.04	December
25.	West Bengal	1243	862	386	—	299.10	December
26.	A & N Islands	5	5	—	—	—	November
27.	Chandigarh	6	10	—	—	0.03	November
28.	D & N Haveli	—	—	—NIL—	—	—	November
29.	Dahli	1544	99	71	19	0.06	December
30.	Daman & Diu	52	3	—	—	—	December
31.	Lakshadweep	—	—	—NIL—	—	—	December
32.	Pondicherry	152	47	4	4	3.54	December
Total		158446	9729	4170	3495	1962.97	

ANNEXURE II

ACTION TAKEN UNDER ESSENTIAL COMMODITIES ACT, 1955 BY STATES/UTs
DURING THE YEAR 1996 w.e.f. 1.1.1996 to 31.12.1996

Sl. No.	State/UT	No. of raids made	No. of persons arrested	No. of persons prose- cuted	No. of persons convic- ted	Value of goods confis- cated (Rs. in lakhs)	Reported upto
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	4258	1021	56	8	581.38	December
2.	Assam	858	—	—	—	4.63	December
3.	Arunachal Pradesh	—	—	—N/L—	—	—	December
4.	Bihar	519	42	50	—	142.06	June
5.	Gujarat	5498	—	267	5	562.85	December
6.	Goa	77	—	—	—	—	December
7.	Haryana	188	30	8	—	0.59	December

1	2	3	4	5	6	7	8
8.	Himachal Pradesh				—	—	December
9.	Jammu & Kashmir	985	930	—	30	—	November
10.	Karnataka	390	22	—	—	0.05	February
11.	Kerala	—	—	—	—	—	—
12.	Madhya Pradesh	478	6	9	21	70.45	March
13.	Maharashtra	622	935	194	33	222.49	October
14.	Manipur	7	7	7	—	—	December
15.	Meghalaya	82	—	—	—	0.15	December
16.	Mizoram	96	—	—	—	—	December
17.	Nagaland			—NIL—			December
18.	Orissa	196	6	65	6	7.42	October
19.	Punjab	39085	11	—	—	0.02	December
20.	Rajasthan	503	18	93	17	40.95	December

1	2	3	4	5	6	7	8
21.	Sikkim	—	—	—	—	—	—
22.	Tamil Nadu	10051	840	4793	3615	222.29	December
23.	Tripura	43	6	41	—	5.52	December
24.	Uttar Pradesh	20620	164	2503	—	25.69	December
25.	West Bengal	663	385	175	—	275.04	October
26.	A & N Islands	—	—	—NIL—	—	—	December
27.	Chandigarh	—	—	—NIL—	—	—	—
28.	D & N Haveli	—	—	—NIL—	—	—	December
29.	Delhi	1441	102	98	33	—	November
30.	Daman & Diu	13	—	—	—	—	February
31.	Lakshadweep	—	—	—NIL—	—	—	December
32.	Pondicherry	261	36	1	—	5.82	December
Total		86486	4560	8320	3768	2168.00	

ANNEXURE III

ACTION TAKEN UNDER ESSENTIAL COMMODITIES ACT, 1953 BY
STATES/UTs DURING THE YEAR 1997 *viz.* 1.1.1997

Sl. No.	State/UT	No. of raids made	No. of persons arrested	No. of persons prose- cuted	No. of persons convic- ted	Value of goods confis- cated (Rs. in lakhs)	Reported upto
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	2969	1017	33	4	196.93	June
2.	Assam	1041	9	9	—	12.95	December
3.	Assamchal Pradesh	—	—	—	—	—	December
4.	Bihar	749	65	137	41	288.21	December
5.	Chhattisgarh	4985	74	90	13	528.36	December
6.	Goa	21	—	—	—	—	December
7.	Haryana	16	2	4	—	—	January

1	2	3	4	5	6	7	8
8.	Himachal Pradesh			—NIL—			December
9.	Jammu & Kashmir	763	775	—	—	5.01	July
10.	Karnataka	1368	16	178	150	12.574	December
11.	Kerala	2301	—	—	—	0.44	July
12.	Madhya Pradesh	1508	4	15	26	46.78	April
13.	Maharashtra	627	980	271	122	28.01	December
14.	Manipur	1	1	—	—	—	December
15.	Meghalaya	50	—	—	—	—	December
16.	Mizoram	169	—	6	—	—	December
17.	Nagaland	—	—	—NIL—	—	—	December
18.	Odisha	227	1	44	1	9.31	December
19.	Punjab	40102	3	1	1	0.22	December
20.	Rajasthan	729	28	167	182	128.42	October

1	2	3	4	5	6	7	8
21.	Sikkim	1	1	—	—	—	December
22.	Tamil Nadu	11506	1463	4196	9930	348.13	December
23.	Tripura	98	20	82	—	7.38	December
24.	Uttar Pradesh	52424	82	184	1951	96.64	December
25.	West Bengal	829	523	441	6	210.51	December
26.	A & N Islands	100	—	—	—	—	December
27.	Chandigarh	8	8	1	—	0.16	October
28.	D & N Haveli	—	—	—NIL—	—	—	December
29.	Delhi	1164	78	30	88	—	December
30.	Daman & Diu	40	—	—	—	—	December
31.	Lakshadweep	—	—	—NIL—	—	—	December
32.	Pondicherry	182	16	5	—	1.22	December
Total		1241.42	8160	5690	6379	2285.42	

Statement showing information upto 30.4.1998.

ANNEXURE IV

ACTION TAKEN UNDER THE ESSENTIAL COMMODITIES ACT, 1953
BY STATES/UTs DURING THE YEAR 1998 *w.e.f.* 1.1.1998

Sl. No.	State/UT	No. of raids made	No. of persons arrested	No. of persons prose- cuted	No. of persons convic- ted	Value of goods confis- cated (Rs. in lakhs)	Reported upto
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	12994	2829	66	11	566.45	December
2.	Assam	1683	13	—	—	3.1	December
3.	Arunachal Pradesh	—	—	—	—	—	—
4.	Bihar	400	31	45	5	4.58	August
5.	Gujarat	5110	32	32	—	370.37	December
6.	Goa	2	2	—	—	—	December
7.	Haryana	23	26	17	3	1.35	December

1	2	3	4	5	6	7	8
8.	Himachal Pradesh	—	—	NIL	—	—	December
9.	Jammu & Kashmir	523	455	2	—	—	July
10.	Karnataka	1058	34	74	1	303.72	December
11.	Kerala	6920	58	152	—	86.76	December
12.	Madhya Pradesh	2058	13	50	34	92.86	November
13.	Maharashtra	753	669	91	10	70.27	October
14.	Manipur	1	1	—	—	—	December
15.	Meghalaya	56	—	—	—	—	December
16.	Mizoram	10	—	—	—	—	December
17.	Nagaland	—	—	—	—	—	December
18.	Orissa	464	18	61	—	2.2	December
19.	Punjab	34400	4	3	0	0.18	November
20.	Rajasthan	342	2	68	13	17.35	December

1	2	3	4	5	6	7	8
21.	Sikkim	—	—	—	—	—	December
22.	Tamil Nadu	7016	749	2767	3008	361.73	December
23.	Tripura	246	26	47	—	5.77	December
24.	Uttar Pradesh	83350	499	1112	475	13.73	December
25.	West Bengal	1335	731	683	—	611.62	December
26.	A & N Islands	—	—	—	—	—	June
27.	Chandigarh	—	—	—	—	—	December
28.	D & N Haveli	—	—	—	—	—	December
29.	Delhi	722	46	32	71	—	October
30.	Daman & Diu	86	—	—	—	—	December
31.	Lakshadweep	—	—	—	—	—	December
32.	Pondicherry	31	7	6	—	6.14	October
Total		56501	6245	5329	3705	915.13	

ANNEXURE V

ACTION TAKEN UNDER THE ESSENTIAL COMMODITIES ACT, 1955

INFORMATION RECEIVED FROM STATES/UTs DURING THE YEAR 1999 *upto* 1.1.1999

Sr. No.	State/UT	No. of raids made	No. of persons arrested	No. of persons prosecuted	No. of persons convicted	Value of goods confiscated	Reported upto
1	2	3	4	5	6	7	8
1.	Andhra Pradesh	13267	2799	53	3	699.73	October
2.	Assam	213	—	2	—	0.04	November
3.	Arunachal Pradesh						
4.	Bihar	11	33	10	57		November
5.	Delhi	4635	27	39	4	496.79	November
6.	Gujarat	1	7	1	19		October
7.	Goa	22	7	5		0.12	August
8.	Haryana			—NIL—			December
9.	Himachal Pradesh	313	332				June
10.	Jammu & Kashmir	1210	17			530.04	November
11.	Karnataka	4026	299	41	75	5.52	December
12.	Kerala	2843	53	33	19	14.87	September*
13.	Madhya Pradesh						

1	2	3	4	5	6	7	8
14.	Maharashtra	158	278	4		33.54	March
15.	Mandipur			-NIL-			November
16.	Meghalaya	5					December
17.	Mizoram	24					April
18.	Nagaland			-NIL-			July
19.	Orissa	882	7	54	24	9.87	December
20.	Punjab	42082					December
21.	Rajasthan	97	7	22	3	23.95	September
22.	Sikkim			-NIL-			July
23.	Tamil Nadu	5518	729	2040	1030	275.63	July
24.	Tripura	105	3	3		1.68	May
25.	Uttar Pradesh	119655	1307	1307	443	37.15	October
26.	West Bengal	906	581	266		222.81	August
27.	A & N Islands			-NIL-			October
28.	Chandigarh	7				0.19	September
29.	D & N Haveli			-NIL-			December
30.	Daman & Diu	78					August
31.	Lakshadweep			-NIL-			December
32.	Pondicherry	29	18	12	39	5.98	December
	Total	196239	6457	3048	1273	2317.91	

Statement showing information received upto 31.1.2000.
*Excluding March.