

MR. CHAIRMAN : The question is :

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clause 2 and 3 were added to the Bill.

Clause 1 Enacting Formula and Title were added to the Bill.

SHRI VASANT SATHE : Sir, I beg to move :

"That the Bill be passed."

MR. CHAIRMAN : Do you want to say anything ?

SHRI E. AYYAPU REDDY : He may answer my question.

SHRI VASANT SATHE : There is no such proposal or thought as yet.

MR. CHAIRMAN : The question is :

"That the Bill be passed."

The motion was adopted.

— — —

16.20 hrs.

STANDARD OF WEIGHTS AND MEASURES ENFORCEMENT BILL

[English]

MR. CHAIRMAN : The House will now take up the Standards of Weights and Measures (Enforcement) Bill. Shri Rao Birendra Singh may now move the Bill for consideration.

THE MINISTER OF FOOD AND CIVIL SUPPLIES (RAO BIRENDRA SINGH) : Sir, I move :

"that the Bill to provide for the enforcement of the standards of weights and measures established by or under the Standards of Weights and Measures Act, 1976, and for matters connected therewith or incident-

tal thereto, as passed by Rajya Sabha, be taken into consideration".

PROF. MADHU DANDAVATE (Rajapur) : Mr. Chairman, Sir, I wish to give the information that for the last three days we were raising the question of deportation of Lankan Tamilians. We are very happy that today when the writ petition was heard by the Supreme Court, the Government finally announced that they are withdrawing the deportation orders against the Tamilians and therefore the rights have been restored. We are happy that ultimately the wisdom has dawned.

RAO BIRENDRA SINGH : Mr. Chairman, Sir, I hope the House will welcome this long awaited the Standards of Weights and Measures (Enforcement) Bill. The Bill has already been passed by the Rajya Sabha. We were using varied types of weights and measures in the past. With modern technology being developed, it was felt necessary that we should have a uniform system of weights and measures in India also. With that end in view, in 1956, this Parliament passed the Standard of Weights and Measures Act, 1956. At that time laying down of standards of weights and measures was the responsibility of the Central Government under the Constitution. But the enforcement came under the State List. Therefore, States were asked to enact their own laws for enforcement of these standards of weights and measures, as, provided under the Act of 1956. Afterwards, there were some further developments in the international field. The metric system which India has adopted was further developed and some international standards were laid down and improved upon.

In 1976, another Act was passed by Parliament which replaced the earlier Act of 1956. Even at that time, the enforcement was the subject coming under the State. But soon afterwards, under the 42nd Amendment of the Constitution, enforcement also came under the Concurrent List. We had written to the States that they should pass their own Acts for enforcement of the measures provided for in the Act of 1976. Some of the States took action, but a large number of States in the country did not pass these enforcement Acts. Therefore, it was consi-

[Rao Birendra Singh]

dered necessary that Parliament itself should enact a uniform law for the whole country to enforce the standards of weights and measures as provided for in the 1976 Act. It is because of that decision that I have now come before this House, with this measure.

This is a very comprehensive Bill. It provides for very detailed measures for ensuring safety of human life, public health, for better industrial development, international trade, for commercial transactions and use of the very latest weights and measures, and methodology for industrial production.

Provision has also been made for punishment for different kinds of offences. One whole chapter, i.e. as many as 31 sections have been listed for different kinds of punishment for varying types of offences under the Act.

Similarly, it has been provided that machinery for enforcement will be set up in the States by the State Governments; in the Union Territories, it will be the responsibility of the Central Government.

16.23 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

I hope the House will agree with me that this is a long-overdue measure which we have now been able to produce before this House of Parliament, and that it will be passed by the Hon. Members unanimously.

With these words, I commend this Bill to the House, and would now welcome the Hon. Members to give their views on this Bill.

MR. CHAIRMAN : Motion moved :

"That the Bill to provide for the enforcement of the standards of weights and measures established by or under the Standards of Weights and Measures Act, 1976, and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration."

SHRI A.J.V.B. MAHESWARA RAO (Amalapuram) : Sir, in order to give consumer the worth of his money, it is very essential that the weights and measures for different commodities are of a standard type. These measures, whether for measuring liquids or commodities or precious metals like gold etc., should be of a specific standard.

It was in 1973 that Maltri Committee was constituted to go into the evil of false weights. The Committee had made some recommendations. But all these Committees are of no avail, unless some stiff measures are taken, and deterrent punishment is provided in the laws for punishing traders who use false weights and measures.

The customers are duped by traders by using false weights. I would suggest that a man caught using sub-standard or false weights should not only be challaned, but a heavy fine of not less than Rs. 5,000/-, and a rigorous imprisonment of at least one year should be imposed. This sort of a deterrent punishment would help in chastening the traders.

Not only this; the officers who are responsible for checking the weights and measures, if found negligent in their duties, should also be awarded a similar punishment.

It is needless to say that in a vast country like India, traders must be duping the Government and the public at large of huge sums of money, and thus also contributing towards generating crores of rupees of black money.

So, I support this measure of the Government, but still I feel that this is a half-hearted approach. More strict measures are required to curb this evil.

[*Translation*]

SHRI BIRENDER SINGH (Hissar) : Mr. Chairman. Sir, I rise to support the standards of Weights and Measures (Amendment) Bill 1985 and to congratulate the Hon. Minister for this step. The money-lenders and the industrialists have been exploiting the poor, illiterate and the rural folk with the aid of weights and measures for long. Mr.

Chairman, Sir, the Hon. Minister also belongs to the rural areas and he must be aware of the exploitation of the people in the villages, prevalent even today. Leave alone the standard weights, they do not use even weights; stone-pieces are used as weights. Not only this, in the villages if you bring wheat or mustard to some small shopkeeper, he will, in exchange, weigh vegetables equal to their weight and give it you. He does not differentiate between wheat which is Rs. 157 per quintal and mustard whose price is Rs. 400 per quintal. This kind of exploitation prevails in our society even today. I, therefore, congratulate the Hon. Minister but I would also like to point out that we have still not adopted the attitude towards adulteration in particular and under measurement or underweighing, as has been adopted in other countries. In foreign countries the punishment for adulteration or underweighing or undermeasuring is as stringent as punishment for murder but here no deterrent punishment has been provided in the penal clauses 36 to 65 of the Bill. A deterrent punishment is provided for repeating the offence. The punishment for the offence committed for the first time is not as severe as it should have been which could have created a sense of fear in the traders to prevent them to underweigh or undermeasure.

Mr. Chirman, Sir, the Bill which has been brought to enforce the Act of 1976 is not a new one. In 1871 also an attempt to bring an Act of this nature was made but the then Government and the Queen turned down the proposal. Measures of Length Act, 1889 and later on before independence another Act was brought in 1939. What I mean to say is that endeavour continued to be made to put a stop to this fleecing of the poor through weights and measures. The Hon. Minister has made a provision in the Bill that enforcement Agencies will work under the State Government. The State Government will recruit the staff. But you may be aware that there is not a single Weight and Measure Inspector who does not accept bribe. I would like to advise the Hon. Minister that if you are going to entrust this responsibility to the State Governments, at least one or two higher officers in this organisation, who may be of the rank of Collector or Additional Collector, should be of All India Service so that there

remains a liaison between the State Governments and the Centre and also, the lower rank officer have a sense of fear. Earlier, it used to be the opinion that at least in a Government Agency there will not be any underweighment or undermeasurement. I would like to tell the Hon. Minister that Food Corporation of India receives a subsidy of Rs. 1100 crores from the Government of India for providing cheap foodgrains to the consumers. Different standards of weights are used in weighing foodgrains while purchasing it from the farmers and while supplying from the godowns to the consumers. Depots are allotted to different agencies or individuals also by the Food and Supply Department or the State Governments. If the depot holder points out that the ten bags of wheat or sugar he has been allotted have been underweighed, he is threatened with cancellation of his depot licence in case he did not lift the stock. FCI suffers a loss of Rs. 60 crores every year on account of bungling in weighing and pilferage. You have provided that if an item is under weighed, its cognisance will be taken only when a Weight and Measure Inspector or some other officer files a complaint. Kindly go through the past figures. If the shopkeeper or trader is not at good terms with the Inspector, a case might have been registered, otherwise no big industrialist or trader has come in the net of this Act. A case will be registered only if the Inspector files a complaint. Neither will he file a case and nor would anyone be apprehended. It should also be provided that if some voluntary agency or consumer society lodges a specific complaint, cognisance thereof will be taken. I would like to point out that in sugar industries also, there is bungling in weighing farmers' produce. When sugarcane is sent to weighing centre, a cart is underweighed upto 10 kg. The person responsible for weighing keeps to himself about 20 quintal of sugarcane and issues slip in the name of a fake farmer. In this way a person working in the weighing centre earns Rs. 500 a day. The Sugar mills also try to check such a practice. But still I would say that only those persons should be recruited as Weight and Measure Inspectors who have some commitment towards the country, people or society. The persons who have been in Army have such qualities. I suggest that provision to this effect should be made that preference will be given to the Army officers or those who

[Shri Birender Singh]

have been in the Short Service Commission.

I would like to say one thing more. Section 62 provides about the person who will be punished in case the offence is committed by a corporation or corporate body or company registered under the Act. If an Inspector dares to apprehend any capitalist, the case will not be filed against the capitalist. The person authorised by him will be proceeded against. I would like to read Section 62 to you. It clearly indicates that any capitalist, who indulges in any type of malpractice in weights and measurements cannot be arrested by you unless you amend this section. Section 62 reads as under :

[English]

"If the person committing an offence under this Act is a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company,...shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly."

[Translation]

But its proviso reads as under :

[English]

"Provided that nothing contained in this sub-section shall render any person liable to punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence."

[Translation]

Any person can manipulate and claim that he had tried his best but it is his servant who had committed the offence. So, he is not at fault. If his servant is awarded punishment for 5 to 6 months or 1 to 2 years he is least bothered about it. For this you will have to call for a report every month from the company which will give in writing that such and such person has been appointed in-charge in such and such month,

in case a challan is made against any person of the company. If any change takes place subsequently, it will be the duty of that company to furnish written information to this effect. If there had not been any change and still the company pleads its case, I feel that we are showing leniency to those people under this Section and letting them off.

Secondly, I would like to say something about section 59. It reads as under :

[English]

"Whoever contravenes any provision of this Act for the contravention of which no punishment has been separately provided for this Act, shall be punished with fine which may extend to two thousand rupees."

[Translation]

It means that the punishment not provided under these three sections, has been provided under this Section. Only those traders will come under this section, who do injustice to their country by indulging in malpractices; who after signing agreements with other countries supply underweight and inferior quality goods, because no other section is applicable to them. In it no mention has been made about foreign trade. In a situation in which the prestige of the country is involved and there is likelihood of set-back to country's increasing trade, if any trader, who after signing the agreement with the foreign countries supplies underweight goods and repeats the offence, he, after having been found guilty, should be awarded 7 years imprisonment instead of 5 years as at present under this Act. Many such cases have come to light here which have brought bad name to our country.

I would expect the Minister to review the entire structure. Hon. Minister must have observed that wool is still weighed in pounds. You had introduced a new system in 1956. In 1976 you brought this Enforcement Act. But wool is still weighed in pounds and ounces. The punishment provided for it is inadequate. They are the greatest criminals who sell goods in pounds, ounces and other measurements to poor illiterate persons.

With these words I welcome this Act. But, I would urge the Hon. Minister if he

wants its proper enforcement in the time to come, some provision to this effect should be made in it and some sort of literature should be distributed to people and people in villages should be made aware of it on Radio and Television in order to ensure effective enforcement.

[English]

SHRI R. P. DAS (Krishnagar) : Mr. Chairman, Sir, I feel this is one of the best pieces of legislation that has been brought before this House on this subject since the days of Queen Victoria. Therefore, I welcome this Bill.

In 1956, the Government felt that the standards of weights and measures should be uniform throughout the country and that the old system should be replaced by the metric system. Prior to that, varied system were in vogue in different parts of the country. So, the metric system was introduced. After that, with the spread of trade and commerce and industry, the Government felt that the system should again be improved upon and so, the system was further improved upon in 1976 in conformity with the international system. The Act of 1976 was a good one but the Government at that time could not enforce the provisions of the Act throughout the country because it was left to the States to enforce the provisions of the Act. Only six small States and Union Territories like Jammu and Kashmir, Himachal Pradesh, Manipur, etc. could enforce some of the provision in their respective States and Union Territories, but all the big States just neglected the enforcement of the provisions of the Act. Therefore, it could not be made effective throughout the country. Now this Bill has been brought before this House with some provisions in regard to the enforcement of this Act. This has now been put on the Concurrent List, therefore, it will be possible for the Central Government to have the provisions of this Bill enforced throughout the country. I am agreeable with the Minister that this Bill should be passed and I support this Bill, which seeks to have a uniform standard of weights and measures all over the country. But I have some apprehension over the enforcement of the provisions of this Bill because India is a very big country. 80 per cent of the Indian economy

is based on agriculture and only 20 per cent is based on the industry and on the trade and commerce, internal or external. This sort of standards will be applicable only to the rapidly spreading industry and trade and commerce. It is also applicable to the international trade and commerce. These standards weights and measures are such that they depend on so many sophisticated instrument. So, some precise instrument has to be put into practice in this country. This can be effective in the international field, but it is not possible to put them into practice in areas where the economy is dependent on agriculture and is following more or less the old practice. A pair of scales which was a symbol of justice mainly moved into the rural areas. Therefore, I do not know whether it is possible for the Government to have this enforced in the far off corners of the country, particularly in the rural areas.

It also depends on the States whether they will be able to enforce the provisions of this Act. The States are always short of funds. The Central Government would like to have the enforcement of these provisions, but it will depend upon the States which have actually to enforce them. The States do not have proper organisation for the purpose. The States cannot set up such a big organisation throughout the country because they do not have large funds by which they can set up this kind of an organisation. Therefore, I would suggest that the Central Government should provide funds to the States so that they can set up these organisations in their areas.

SHRI PRIYA RANJAN DAS MUNSI : They can do it through the Panchayats.

SHRI R. P. DAS : The Panchayats do not have that much money. Secondly, you have got to have a good organisation. Such an organisation has to be more or less dependent upon the trained personnel. Therefore, the Centre should set up two or three Centres to train adequate number of personnel to properly enforce these provisions.

Particularly in the metric system scientific instruments are required for the enforcement of these provisions. Take the case of noise

[Shri R. P. Das]

pollution or frequency of telecommunications and things like that. These have to be measured by highly sophisticated instruments. Only trained persons can use such sophisticated instruments. Therefore, it is very necessary that there should be a Central institute to train these persons so that they can use these instruments.

At the same time if the Government intends to have these provisions enforced throughout the country, it has to propagate these provisions throughout the country through mass-media and the Press. If the Government does not have a very wide network for the propagation of the provisions of this Bill which is going to be enacted now, it will not have much effect. Until and unless the people are aware about these provisions these cannot be enforced. They will also have to participate in the matter of enforcing these provisions in these areas. Therefore, people have to be involved in it and this can be done only through the effort and endeavour of the Central Government. If the Central Government thinks that it will be automatically enforced throughout the country, then, it is living only in a fool's paradise. It cannot be done so easily. Therefore, they have got to take very effective steps in the direction of implementation of the provisions of this Bill. With these words I conclude. Thank you.

[Translation]

SHRI K. N. PRADHAN (Bhopal) : Mr. Chairman, Sir, I support and welcome the Bill moved by the Hon. Minister and I believe that nobody will have any objection or difference of opinion about the Bill. One of the salient features of the Bill is that it would help in achieving those objectives which have been announced by the Hon. Prime Minister, Shri Rajiv Gandhi. It would help in eradicating corruption and checking the generation of black money. If we adopted the right system, we would definitely be able to maintain the pace of progress.

It has been proved by various surveys that more than 60 per cent of the weights and measures used are faulty in the country, which has led to the generation of black money to the tune of at least Rs. 2,000 crores. There are two aspects of it. One is the use

of wrong weights and measures as has been pointed out by some Hon. Members also. In rural areas, at least in our area, the poor workers and agricultural labour receive food-grains weighed as 'pai' and 'korha' as a result of which they receive less food-grains.

Besides, side by side with the use of metre for measurement of cloth, 'Gaz' and 'feet' are also used. Similarly 'Seer', 'Pao' and 'Chhatank' are still prevalent along with Kilogram. Even in currency, the 'Anna' system still exists. Until these things are checked success cannot be achieved. The Bill should be enforced simultaneously throughout the country. Certainly, this Bill involves financial implications and it has been rightly pointed out that some of the States may not be ready to face this burden. If we provide financial assistance to the States for this purpose, it would not be proper. Instead, I would suggest the Central Government suggest to the Central Government to bear the entire financial burden. The provisions for punishment that have been suggested should be enforced. There is need for deterrent punishment to the defaulters.

It has often been observed that wherever the courts have awarded deterrent punishment under the Prevention of Adulteration Act and have sent people to jails there has been reduction in the incidence of adulteration but in cases where the courts have taken a lenient view, the adulteration continues unabated. I am of the opinion that it is such an evil practice that at least there is no need for the provision of *mens rea* in the Bill. Wherever a case of adulteration is proved, the guilty deserves punishment. A provision to this effect should be made in the Bill.

17.00 hrs.

[MR. DEPUTY SPEAKER
in the Chair]

I would like to draw the attention of the Hon. Minister towards the fact that the hawkers have been allowed to use their own weights and measures but when the small farmers sell their produce in the market and bring their weights and measures along with them, they have to pay Rs. 50 to the Inspectors. Besides the hawkers, these small farmers, the gardeners and the *Kachhis* should

also be exempted. As I have pointed out earlier this Bill deserves to be welcomed. I welcome it once again and would like to emphasize that these weights and measures should be standardised as early as possible so that they could be properly used. Take for instance a taxi or a three wheeler which have meter system. It is often observed in big cities and metropolises even today that they are rarely in order even though they are certified. Besides right type of certification, there is need to check that they are effectively used.

***SHRIMATI BASAVA RAJESWARI** (Bellary): Mr. Deputy Speaker, Sir, I wholeheartedly welcome the Standards of Weights and Measures (Enforcement) Bill, 1984. While supporting the Bill I would like to point out certain important factors. This is a comprehensive bill as stated by our Hon. Minister while introducing the bill. I am sure that this Bill will be a boon to the people, specially to the farmers and the rural masses. Even though there are several laws they are not enforced properly. Hence the present bill is highly commendable. I hope the enforcement of this legislation would help people of the whole country.

The practice of short weighing has spread in our society like a malady. We find this in the petrol bunks. Petrol is not measured properly. Urea is not weighed properly. The weighing manure is faulty. This factor of short weight ultimately affects the common man, the poor farmer who is the backbone to this country.

Mostly manures are transported through railway wagons. Here the railway authorities will join hands with the traders and manure would be stolen. From each bag of manure at least 5 K. G. of manure would be stolen. I want the Hon. Minister to look into this matter seriously. Once manure was sent from Karnataka to Andhra Pradesh by train. There it was found that each bag was underweight by 5 kg. This had been brought to the notice of both the States. Proper action was not taken in that matter. In fact there is a big racket involved in such affairs of pilfering. In the railway station the bags

containing manure is unloaded. From there the bags are transported. Between these two points the theft of manure is taking place. This practice must be curbed and it should be stopped once for all.

Added to this factor, adulteration is spoiling the whole atmosphere. Petrol, edible oils, kerosene, foodgrains all are adulterated. Even drugs are not spared. Many children have become victims of this adulteration of life saving drugs. Pesticides are also adulterated. Therefore, I urge upon the Hon. Minister to tackle the problems of both underweight and adulteration.

We have regulated markets throughout the country. But my basic question is to what extent these regulated markets are functioning properly? In my constituency cotton worth of crores of rupees is produced. When it is sent to market weighing is not done properly. Some times in the market when the cotton is purchased from farmers weighing is not at all done. Some rough estimation of the quantity of cotton is made. Then the cotton is kept in the market for a few months. Then from each chunk of cotton we find that about 10 to 20 Kg. of cotton will be missing. The agents in the regulated market are indulging in stealing. Food grains are also stolen from godowns. Even in the case of cement theft is there. After stealing the cement from the bags sand will be filled. This is how cheating is going on in the case of cement also. From the Government godowns cement is being stolen. I had brought this to the notice of the Government. But proper action was not taken. Coming to the matter of sugarcane the same kind of cheating is continuing. Trucks, lorries, carts, tractors which are loaded with sugarcane are weighed and then the weight of the vehicle is deducted. But this process is not being followed properly. A large scale cheating is going on in many other cases also.

In different States we have different measuring units. While doing away the old units and introducing new units it is the duty of the Government to inform the people in advance. The consumers also must be informed properly. Especially the innocent rural masses would be in the advantageous position if they are not informed properly about the enforcement of new measuring units. The various penalties would affect

*The speech was originally delivered in kannada.

{Smt. Basava Rajeswari}

them if they do not follow the new system. Therefore one must be careful in deciding the punishment especially in rural areas. While awarding punishment an uniform method need not be followed. Some concession and relaxation in the punishment should be shown to the rural masses as they are not fully aware of the modern developments.

In some remote villages people are very particular about the traditional units of measurements. They do not want to change. They are sentimental and would like to stick on to their traditional methods. For their own use, to measure their own foodgrains they want to follow the same old methods of weight and measures. So if the punishment is given rigidly it will be very difficult to these people.

To keep a check on the theft in sugar factories, cement factories etc. it is very essential for the Government to keep very efficient vigilance. This vigilance group should keep an eye on Food Corporation of India, regulated markets, petrol pumps, etc. They should be able to work secretly and detect the culprits. Finally, these cheats must be given stringent punishment. Otherwise there would be no end to this process of cheating the common people of this country.

This Bill which has commendable objectives applies to companies also. I hope our Government would take special care about the poor farmers, villagers while implementing this Bill. Once again I commend this Bill and congratulate the Hon. Minister. I thank you for giving me this opportunity to speak and with these words I conclude my speech.

[English]

DR. V. VENKATESH (Kolar): Mr. Deputy-Speaker, Sir, our country has made very rapid progress in the field of science and technology and commerce, but we are lagging behind in the field of metrology. If you see the previous history of the Bill, you will find that the Act of Standards of Weights and Measures was passed by Parliament in the year 1956. At that time, the matter for enforcement was under the State List. After-

wards, the standards were revised and international units were adopted. In 1976 another Act was passed laying down standards of weights and measures. It was a revised system of metric units. Even at that time the subject was not under the Concurrent List. After the Forty-Second Constitution Amendment in 1976, the subject was transferred to the Concurrent List. Since then, there has been a necessity for a uniform Act for enforcement of standards of weights and measures in this country. At present there is no law to control production of these things. Even in the matter of trade we find that manufactured commodities are at a disadvantage as compared to the products of advanced countries. We are also not strictly applying the international standards of units in our industry and commerce.

In our country the poor producer, the illiterate farmer, is doubly cheated by wrong weights and measures and non-standard weights and measures. Whenever he wants to sell, he will be given under-price by way of wrong measures, and whenever he wants to buy, then also he is cheated. This is double-cheating.

There is nothing to oppose in this Bill. But the point is why, even after 35 years, these Acts are not implemented and enforced all over the country. This is because 80 per cent of our population in the villages are illiterate. What is required is immediate education of the poor farmers in the villages in the standardised system of weights and measures. Unfortunately, this is not stressed by the Government. If we do not educate the poor farmers in the villages on the standardised system of weights and measures, this law will continue to remain only on paper like any other law in our country.

90 per cent of the retail transactions are being carried out with the help of traditional balances—with scales on either side and a long arm in between. This is the root-cause of malpractices; this symbolises malpractice. Unfortunately all courts in our country are having this symbol.

According to Maitri Committee which was constituted to go into the menace of false weights and measures, 60 per cent weights and measures are false ones. This is a great loss to the poor consumer. The same committee

also estimated that one percent error of consumer loss will amount to about Rs. 300 crores per annum of retail sales. The Committee also pointed out that these false measures are leading to great loss of revenue for the State and they estimated Rs. 100 crores loss because of false measures and false weights.

In this law, I find that the penalty provisions are very lenient. Therefore, I urge upon the Government that the penalty must be made more stringent. At least the existing penalties must be doubled. I strongly urge upon the Hon. Minister to take the subsidiary and parallel actions in order to make these laws effective in our country. Thus there is the cheating by the traders who use short weights and false measures. The main evil of the under-weighting and under-measuring is generating a lot of black money which is affecting our economy very badly. So, it is going to be a preventive measure at least. Due to these malpractices, we are losing our reputation in the international market and in international fields.

In order to save the international relations, the international trade, from declining due to malpractices indulged in weights and standards, this Bill should serve the purpose, one hundred percent, effectively.

Sir, I found one lacuna in this Bill. The additional responsibility will be cast on the enforcement machinery in the States. So, more officers and staff will have to be appointed for proper enforcement. This financial burden in case of the enforcement machinery has to be borne by the States. Therefore, I strongly urge upon the Government of India to see that the States are given financial assistance. Otherwise the present financial constraints in the States may come in the way of its enforcement.

My second point is that the Government of India while appointing the controller and other staff members should see that the responsibility is laid upon the States. To have an effective enforcement, the Centre should have the monitoring agencies, such as, in the case of labour laws, the Chief Labour Commissioner, etc.

SHRI N. TOMBI SINGH (Inner Manipur) : Mr. Deputy Speaker Sir. I am

very happy to support this Bill. This is a happy augury that this glorious session is being concluded with this very significant and good measure, to control the weights and measures used in various spheres of our life.

Sir, false weights and measures are running riot in most of the important spheres of our life. The meters in the scooters, taxis are some examples. I do not know whether this will come under this. The travellers, particularly, the tourists who are new comers in any city, are the most harassed people. The taxi wallahs and the scooter wallahs have their own control on their meters and the human ingenuity is being shown unlimitedly. They manipulate those meters. So, naturally, the control over these metres is a very important step particularly where taxis and scooters are plying and especially in the metropolitan cities like Delhi, Calcutta, Bombay and Madras.

I don't like to touch upon all the provisions of this Bill. This is a very good Bill and is well drafted. I will confine myself to certain areas, particularly clause 34 where mention has been made of custom, usage, practice or method where people are using just lumpsum or guess-work and selling the commodities by heap or selling the commodities by just guess measures. For instance, in our area of the country, in the north-eastern areas, in the hill areas and in rural areas selling of paddy is done through a measure known as *sangbai* which means a big basket. When the buyer is told that the cost of paddy is so and so rupees per *sangbai*, it does not mean anything because the sellers who are mostly the rich people control the size of the *sangbai*. There is a local notion that a certain number of this known as *utong* make a *sangbai*. For instance, it is said that 64 *utongs* should make a *sangbai*. But in actual measurement, the number of *utongs* are never seen and are never found correct and where the sellers just guarantee that the number of *utongs* are correct, then the *utongs* are made relatively smaller. So a lot of guess work in the selling of principal commodities mainly foodgrains like paddy and other commodities is prevalent. So in such cases, unless the State Governments are very serious to control and enforce the provisions of the law, I think good laws may not be of much use.

[Shri N. Tombi Singh]

Reference has been made in clause 35 to selling of commodities by heap. The clause says :

"Where any commodity is sold by heaps, the approximate weight, measure or number of the commodity contained in each heap shall be conspicuously announced by the seller or his agent, if any, either by word of mouth or by a written notice placed on each heap."

Then there is a proviso :

"Provided that no such announcement shall be necessary in the case of a heap where the total price of the commodity contained in such heap does not exceed two rupees."

This is all right. Then sub-clause (2) of clause 35 says :

"Where, on weighing, measurement or counting of any commodity sold by heap, it is found that the weight, measure or number, determined by such weighing, measurement or counting, is less than the approximate weight, measure or number announced by the seller or his agent and the deficiency is more than five per cent of such announced weight, measure or number, the seller shall be deemed to have used a false weight or measure,"

Here, when this particular clause 35 is related to clause 52 where the punishment is provided, it is going to be very infructuous. That is what I would like to suggest to the Hon. Minister for his examination. Here the wording is : "whoever sells any commodity by heaps without complying with the provisions of clause 35." Clause 35 provides only approximate announcement. So there will be no chance given to any Judge or to any court to punish any wrong-doer under that clause because the mention here is approximate number or approximate weight...

THE MINISTER OF FOOD AND CIVIL SUPPLIES (RAO BIRENDRA SINGH) : Five per cent deficiency is there.

SHRI N. TOMBI SINGH : I appreciate your point. This mention of 'approximate'

may lead to easy escape of the wrong-doer under this clause. Any good law requires a good agency to implement the good law. So far, after the 1966 Standards of Weights and Measures Act, no State Government has been taking this law seriously. This has been mentioned in the introductory speech by the Minister himself. I would like to know from him what will be his measures again to call upon the State Governments to implement the provisions of this Act faithfully and seriously. The big businessmen are making just capital out of the ignorance, poverty and inconvenience suffered by the down-trodden sections of our population. This applies not only to the down-trodden people but also to buyers because every buyer does not have the time even though he is intelligent and well informed. The States should have a fool proof machinery so that the common citizens including the poor, the rich and the busy rich could be protected from the false measures and weights which are running a riot all over the country in all the important spheres of life.

[Translation]

SHRI RAMASHRAY PRASAD SINGH (Jahanabad) : Mr. Deputy Speaker, Sir, I welcome this Bill 5 to 7 types of weights and measures are in vogue in the country at present which is causing double exploitation of the people. The first stage of exploitation is when the people purchase oil, salt etc. after selling their produce.

I would like to know from the Hon. Minister whether this law would be applicable to traders only or it would be enforced on the farmers who daily exploit the agricultural workers with the help of weights. This will have to be clarified. Now that this law is being enacted, it should be ensured that it is simultaneously implemented throughout the country. The States never pay any attention in this regard. For this you will have to devise some enforcement machinery in the States so that the exploiters are brought to book and are apprehended.

An agitation regarding the implementation of new standards of weights is continuing in our area. It should be clarified whether it would be implemented in the villages or not. We visited Bosi division in Bhagalpur. A bazar is held there and in the bazar, the

traders use weights and measures made of wood, when the poor buy rice or wheat from them. In this way the poor are exploited. This will have to be checked.

The F.C.I. is a big organisation. Sugar is pilfered in large quantities from the sugar godowns. The staff of F.C.I. pilfers about 2 kg. of sugar from each sugar bag and when that bag reaches the wholesaler, he pilfers, another 3 kgs. out of it. In this way about 5 kgs. of sugar is found short in every bag. It has often been observed that the wholesaler becomes rich in no time. You may calculate on your own the extent of sugar pilferage from 700 bags every month.

In this situation, unless stringent action is taken, it is no use enacting laws. In our area there is clay which resembles cement and it is filled in bags and sold at the rate of cement. People construct their houses with it and the houses collapse resulting in deaths of the people. The people who are indulging in such activities are traitors. You have taken a good step but it should be implemented. Only then it will be said to be a laudable step. You will have to make clear whether it will be enforced in the rural areas or not and also what is proposed to be done about the exploitation of the labourers and the agitation going on in our area.

[English]

SHRI G. L. DOGRA (Udhampur) : Sir, this is not a self-contained Bill and the definition in the standard Act have been made part of the Bill. Sir, when we find that this Bill is not a self-contained one, which has been brought forward in this House, we also feel that there should be a unanimity in the application of this Act in all the States. But here we find that various States have been given the option to apply it or not and they have also been given the option to apply it in the whole of the State or in any part thereof. The option is also given to apply it in respect of an industry only or in respect of a part of an industry. I do not know why this has been done. What was the necessity of this law.

Sir, in every Bill there used to be 'Statement of Objects and Reasons' so that the Members will be in a position to know as to why a Bill being brought forward. But

unfortunately, as this Bill has already been passed in the Rajya Sabha that is the reason why this Bill does not contain the 'Statement of Objects and reasons'. I do not know why the other House should be deprived of not getting an opportunity to go through the Statement of Objects and Reasons.

Sir, all of us know that ours is a country where agriculture is the mainstay of the people. People living in far-flung areas are engaged in agriculture and the people are in backward areas are living in an automated manner. The people living in those parts have mostly inherited their agricultural land and they do not know the present measurement system in measuring their lands. So also in terms of 'seers' they do not know how to work out equivalent in terms of kilograms. Many people do not understand if the distance is measured in terms of kilometers they still think in terms of miles and furlongs. They do not know how to convert the miles into kilometers. We are very fond of changing the measurement systems and other procedures. We have done it because some of the developed countries have got these measurement systems. I think it is not necessary that we should have gone in for decimal system like kilograms and kilometers. But now that we have adopted the decimal system of measurements we shall feel contented with the existing law but we are bringing forward this Bill before this House for the whole of the country. But I do not know why the States have been given the option of either to adopt it or not. I am not able to understand this point. If one goes through the Sections 9,10,11,18 and 24, is likely to feel that many difficulty will be faced by the people, particularly in the villages and other far-flung areas, Suppose the measurement instrument goes out of order or the weighing scale is broken, it cannot be repaired locally by the individuals concerned. Only the licence holder can repair the measuring instrument and the weights.

If a small weight or measure gets eroded or broken, you cannot get it repaired only by a licensee. You can imagine the difficulties of people; for example, in my constituency, they may have to travel 500 or 600 kilometres for this. What are we going to get out of it, I do not understand? But there must be something behind this measure. It

[Shri G. L. Dogra]

may be useful in those parts of the country, which are very much industrialised, or advanced in trade and commerce. But if we legislate for them separately, that is a different thing. But when we legislate for the whole country, we have to think of bulk of the people who live in far-flung and backward areas. As mentioned by various speakers, if somebody does a trick with the weighing scale for sugarcane, there is nothing one can do about it. The inspectors and officers, who are going to be created under this measure, and in fact, they are already there, they go once a while, they have their monthly remuneration fixed with those people, who indulge in all sorts of irregularities in respect of weights and measures. In fact, after passing of this Bill, there will be more generation of black money. Simpler the man, the more he is blackmailed. I have this apprehension in my mind and I place that before the Hon. Minister. But I hope, he must have thought about it, because he belongs to the rural area and to agricultural community as much as I do.

It is good that this measure is not going to be applied immediately and it is left to the States and I think, there are very few States, which are going to apply it. I do not think, under the circumstances, many States can afford to do that, because this will lead to blackmailing simple people.

Sections 63 to 66 of this Bill are very good sections because most of the rigours of the other laws have been taken away by these sections. There are provisions for compounding the offences. These are very good. But, as I said, I apprehend the people may be put to greater troubles.

SHRI CHINTA MOHAN (Tirupati) :
Mr. Deputy-Speaker, Sir, I am grateful to you for giving me this opportunity to participate in the discussion on this Bill.

When I look back, I find that this measure has been amended once in 1955, again in 1976 and now, this is the third amendment. I am happy to say that of all these previous amendments, this Bill has taken care of the common man and the farmers in a balanced way. But in spite of this measure, I am afraid, the common man,

the agricultural labourer in the village and other poor people will continue to be badly cheated by the traders in respects of measures and weights;

When the question of implementation of this legislation comes, everybody will say that they are short of manpower and they have lots of financial constraints will go only when we improve our overall economy. If we start working in right earnest, we can improve our economy. We must learn from our beloved leader, Shri N. T. Rama Rao, who has been working relentlessly in this direction. Everybody has to learn from him. Only then we will be able to improve our economy. I do not know which leader in the country is doing all that our Chief Minister, our beloved leader Shri N. T. Rama Rao is doing. Hats off to him.

Now coming to this Weights and Measures Bill, even after 38 years of Independence, our villagers are still using some brick pieces and stones instead of standard weights. Sometimes they even use arm's length as a measure.

As regards agricultural farmers, we are supplying them manures, fertilizers, pesticides and so many things. They are not getting the things in exact measure and sometimes they are adulterated also. In this way, our poor farmers are mostly cheated. If you go to a petrol bunk, instead of one litre diesel, you get only 900 ml. only. They adulterate even that also. This is the sort of practice that is going on nowadays. I do not know which rule is going to help them.

Coming to life-saving drugs, I will give an example of cardiac drugs. A medicine called digoxine is used for heart patients and a doctor is supposed to give 0.02 milligrams of digoxine. But nobody gives the correct dosage. People are giving sometimes more and sometimes less, with the result that the poor patients have to suffer. Those people who can afford to go to big hospitals, they can get the right things, but the common man is not looked after well. Now, I will come to BP apparatus. Many of these equipment instead of showing correct readings, show 300/150. Similar is the case with thermometers, which show even 200° F. This is the sorry state of affairs nowadays in our country. I do not know

which Bill or which law is going to help all these things.

THE MINISTER OF FOOD AND CIVIL SUPPLIES (RAO BIRENDRA SINGH) : This Bill, itself !

SHRI CHINTA MOHAN : God alone can help all these things. I do not think that all these Bills will help you. Coming to the common man, a common man goes to the agricultural field and earns Rs. 5 per day. With this money, he goes to the market to purchase rice and *dal*. Instead of one kilo of rice, he gets 900 grams and instead to 200 grams of *dal*, he gets only 150 grams. These agricultural labourers are being cheated in this way. I wonder which law is going to help all these people. I know that your intention is to help the common man and also the trader. I am happy that you have introduced these laws. But practically when you go deep into these things, no Bill and no law is helping. These rules are amended including this one, thrice already. But it is helping only the Weights and Measures Inspector and with all the powers to give punishments, he is able to earn more than Rs. 20,000 and Rs. 30,000 a month. I can surely say that no member here is able to earn that much. So, there should be a Bill to curb all these practices.

I beg to suggest finally that there should be moral education for everybody. We must produce some documentaries. I would also like to say that there should be some sort of consumer protection movement. We can show these documentaries in cinema theatres, where everybody goes to see the movies. In this way, people can see and know certain things. Government should keep this aspect in mind. We should also start Advisory Councils or Advisory Boards, where one can discuss freely and learn so many things, instead of introducing Bills this way and amending them once, twice or thrice

With these suggestions, I welcome this Bill.

[Translation]

SHRI SHANTI DHARIWAL (Kota) : Mr. Chairman, Sir, I rise to support this Bill and want to say to the Hon. Minister that this Bill should have been brought long back,

Anyway, it is never too late. But this bulky Bill, which you have handed to us for supporting and passing, may not be reduced to just another document. Shri Bogra has said that the State Governments has been given option to pick and choose any section of the Act and get it passed for application; that should not be done. In 1976 also, Parliament had passed this law and had asked the States to enact similar law but only six states and union territories came forward and no other State adopted this law. Therefore, kindly assert your influence and get it passed by all the State Governments in any way and urge them to adopt it.

My other submission is that this Bill had become necessary, as has been made clear by the speeches of the different Members. This is the only Department of the State Governments which works most irresponsibly. What is the condition in the rural areas ? Because you and I both come from rural areas. You must be knowing the rural folk. Even today the cloth in the villages is measured not by metres but by yards. Hundreds of complaints have been made but they all fell on deaf ears. Similarly, take the example of milk, ghee etc. All these things are being weighed by old weights and by old systems. There is a vessel, which measures 'seer' and not litre. Then there are other vessels measuring 1/2 seer, 1/4 seer and 1/8 seer. Therefore, if you are aware of the situation, it is no use enacting such a law. You should, therefore, enforce it strictly. If you are not in a position to do anything even when you are aware of the whole situation, then what is the use of bringing such a law. Therefore, if you do not enforce it strictly, enactment of this, this new law is meaningless.

I want to give you one or two examples. For example, when you go to a petrol pump for getting your vehicle filled with diesel or your scooter with petrol, you feel that the person on the filling job is measuring less but you do not say anything because you know that it is no use complaining and even if a complaint is made, no action will be taken on that. Take the example of the match box. It is written on every match box that it contains 60 sticks but show me any match box which contains 60 sticks. Similarly, take kerosene. It is mostly used by the villages and you know that the villagers do

[Shri Shanti Dhariwal]

not know much about weights and measures. For them, measuring and weighing process is quite a complicated job. One thousand litre tank is sold as 1200 litres. This is all happening and all of us are aware of it. Similar is the example of cement. When complaint is made, it is replied that in transportation one or two kgs might have been lost but the purchaser has to suffer the loss and has to pay more for the lesser quantity. Same is the situation in the case of sugar, fertiliser. Regarding cloth I have already spoken. It shows the inefficiency of the Enforcement Officers of the States. It is the result of their indifference and failure; and added to it is their monthly fixed amount. So long as you do not check it, enactment of any legislation is meaningless.

Sir, as I have already submitted, so long as you do not assert your personal influence to enforce this law promptly and effectively, it is not going to bear the desired results. I would also suggest that you should convene a meeting of the State Ministers at the earliest because the matter has already been considerably delayed and get it implemented at the earliest. You know the more the delay the greater the cheating. Wrong and fake weights are used and under weighing and measuring is done. One more example I want to give. In Bombay, mangoes are sold by dozens. This is in way to sell a thing; they should sell them by kgs. But if you say so, they will ask you to get lost. These things should, therefore, be stopped urgently and at the earliest. In this connection wherever you get a complaint about underweighing and under-measurement, take immediate action on that. In this Bill you have brought very big and sophisticated things under its purview. For this we thank you but the job should be done in a proper way. One thing more Shri Chaudhary had said in his speech that you should make use of the services of Ex-Servicemen.

RAO BIRENDRA SINGH : I offer my services.

SHRI SHANTI DHARIWAL : If you do not make use of their services who else will do ? I had promised Shri Mushran that you would offer reemployment to maximum Ex-Servicemen,

RAO BIRENDRA SINGH : I am myself an Ex-Servicemen.

SHRI SHANTI DHARIWAL : If you appoint your staff, from among them, it would help in quick enforcement of it.

*SHRI C. JANGA REDDY (Hanam-Konda) : Mr. Deputy Speaker, Sir, I support the Standards of Weights and Measures (Enforcement) Bill. Before enacting this Bill we must see how certain organisation which are functioning under the Government are working. Just think of our telephone meters. Quite often the Members complain about the telephone bills here. Similarly, the water meters fixed by the Municipalities are very defective. The meters run even there is no water. Electricity Board fix meters to read the electric consumption in every home. Needless to say that they do not run properly. Considering all these things I want to ask the Government whether it is enforcing strict standards in their own departments. Hence this Bill which is going to be enacted now should also be extended to all Government departments. Often we hear the complaints about the electricity bills. People complaint that their electricity bills show much more than the electricity they have consumed. Though complaints are made again and again in this regard there is hardly anybody to look into the matter. Members have raised the issue of wrong telephone bills in this House several times. Telephone meters quite often jump. There is no body to take care of this. So first the departments like electricity, water works and telephone should be set right. The Government should not forget the fact that these departments are under its direct control. Unless the Government does not set its own house in order how can it think of enforcing this Act on other people. Hence when enacted this Bill should first be implemented in the Government agencies and other services.

When the farmers go to market they find it extremely difficult either to purchase or to sell anything. Just now the Hon. lady Member from Karnataka was saying that there will be at least a difference of 5 K. G. in buying and selling of any commodity. Agriculture Market Committee will be there. Officers are there specially posted to look after these things in

*The speech was originally delivered in Telugu.

the markets. But these officials are not interested in the implementation of standard weights. They do not bother whether standard weights and measures are used by the traders or not. They visit the market place once in a month and collect money from traders and agents. Our villagers and especially the farmers are the worst victims.

****The farmers suffer a lot on that account. When he buys a package of salt or sugar or a piece of cloth he is put to loss. He is exploited both at the time of selling his produce and when he purchases something. Effective measures should be taken to keep a strict watch on it.**

I would request you to implement it on behalf of the Central Government. The State Government can make necessary arrangements but I would like that the Central Government should appoint an Inspector in every district who may keep a watch over these malpractices and road exploitation.

The public sector undertakings sell fertilizers and cement in gunny bags and every-time 5 kgs. are found short in a bag of 50 kgs.

SHRI SHANTI DHARIWAL : It is mostly done by the traders and most of them belong to the BJP.

SHRI C. JANGA REDDY : You win on the strength of donations from these very traders, most of whom belong to the BJP.

I would suggest that fertilizers should be packed in polythene bags. Cement should also be compulsorily packed in polythene bags otherwise there is heavy pilferage.

The same is true of ointment tubes and tooth paste tubes. Apparently they seem to be filled to the full but they do not contain the quantity marked on them.

17.58 hrs.

[MR. SPEAKER *in the Chair*]

You are well aware that the worker earns Rs. 15 daily and he spends about Rs. 5 on liquor. But he does not get his money's worth

****The speech was originally delivered in Hindi.**

because even that liquor is underweighed. Provision should be made for deterrent punishment to those who indulge in underweighing.

I would also suggest that an agent should be appointed at the place where goods are manufactured to ensure that at the time of packing the goods are properly weighed.

Similarly, it should be ensured that the products of the Public Sector pharmaceutical companies and fertilizer plants are packed in right measure. It would be better if these products are packed in polythene bags. Even cement should be sold in polythene bags instead of gunny bags. It would help in reducing the cost and shortweighing.

Even in the Public Distribution System the quantity of rice or wheat distributed is under weighed. You should exercise control there also. I would suggest you to pack 5 to 10 kgs of rice or wheat in separate polythene bags and distribute them. It would reduce the expenditure and the consumers would be saved of inconvenience.

At the Railway Stations the weighing machines do not function properly or do not show the exact weight. Effective provision should be made to check this.

With these words, I conclude, and request you to provide for an effective law in this regard.

SHRI MANKURAM SODI (Bastar) : Sir, I would like to speak on the Bill which has been moved by the Hon. Minister to end exploitation in Tribal hill areas. I wholeheartedly support the Bill and would like the Hon. Minister to end the exploitation of the tribals. There is no doubt that the Bill would certainly be helpful.

It has often been observed that the tribals sell their goods at least a mile or two away from the markets or carry their goods on their heads. Some arrangement should be made for them to sell their goods conveniently. If it is not done, the plight of those semi naked tribals will ever remain the same.

I support this Bill and request you to provide opportunities for the upliftment of those poor Adivasis.

18.00 hrs.

[English]

THE MINISTER OF FOOD AND CIVIL SUPPLIES (RAO BIRENDRA SINGH) : I am thankful to the House for the wide support that this Bill has received.

PROF. MADHU DANDAVATE : We are convinced about the Bill.

MR. SPEAKER : So, he need not any more be convinced.

RAO BIRENDRA SINGH : The Hon. Members who have spoken on this Bill have appreciated and even those who have not spoken on this Bill have also extended their full support and I can see very clearly.

Sir, India is far behind in the matter of enforcement of weights and measures. The general complaint made by Hon. Members has been that even our taxi meters are not accurate, the thermometres are not accurate, blood pressure apparatus are not accurate, and so on. Various types of weights and measures are being used in the country. Even seers are being used today though we adopted the metric system in 1956, yards are being used, as my sister Rajeswari said, Shrimati Shanti also made complaints about similar matters. I agree with them that all this is happening. And that is why we have brought this Bill before this House. We realise the need for implementation of the provisions of this Bill and for strong enforcement.

But before enforcement and implementation it is necessary to have laws and that is why we request Parliament to pass this measure. After this it will be our very sincere endeavour to see that the States also implement these laws.

We realise the difficulties in the implementation of the provisions of this law in a vast country like India. We also know the financial constraints of the States as also of the Centre. That is why we have just provided that it will be left to the States to judge as to what provisions, and to what extent in what sectors would they be able to apply and they can be extended later on to other sectors, other industries, and other areas. The States have to be given this option because they

have to judge and assess as to how it can be done. Just having laws and appointing inspectors and having adequate resources at their disposal is not going to make this law successful.

Some Hon. Members like Shri Rao and some other friends also, like Shri Venkatesh wanted more stringent punishment in all these laws. You would realise that this measure is the first of its kind in the country and we have to go a little slowly. We do not want that this law should result in unnecessary harassment of people. That is why perhaps this is for the first time that in a law which is being enacted by Parliament we have provided that the enforcement officers can also be punished if they exceed their powers. If their action is vexatious, and if they enter a premises where they have no definite information. These are certain very original steps that we have included in this Bill.

Chowdhary Birinder Singh while speaking objected to a provision that if a director or a manager of an undertaking has no knowledge of the offence that has been committed in his establishment, he will not be punished. That is only to provide justice. If Shri Birinder Singh reads the provision carefully, it will be seen, that the onus of proof that a person is not guilty lies on him and once it is proved that he had no knowledge of it, then he will not be punished because punishment cannot be automatic along with the other employees of the establishment and Section 61 also provides that there will be punishment for abetment. If a Director or a Manager has abetted in an offence, he can also be punished. Punishment is also provided and can be said to be of a very stringent nature. We have differentiated between offence and offence. There is no blanket provision for punishment from one term of imprisonment to a maximum term of imprisonment. Some offences are very minor. For the first time, they can be dispensed with a light punishment, but if the offence is repeated, there is bigger punishment for the offence and as I said earlier, we have gone into the details to such an extent that there are 31 separate sections for different types of offences in this Bill so that nobody can be hardly dealt with ; nor can anybody be unnecessarily harassed.

I agree that a lot of black money has been generated on account of false weights

and measures being used. This Bill is to provide protection to consumers. After this Act comes into operation, even things like BP apparatus or thermometers will be tested before they are sold so that the people are not cheated.

Shri Dogra asked as to how it can be implemented all over the country. This is meant to be implemented in all the areas—urban and rural. The standard type of weights and measures will be used even by the vendors in rural areas. The only thing is that they will not be required to register themselves. Weights and measures will be of standard type and there is a provision for periodic check. All traders, farmers, manufacturers, industrialists are required to use the standard weights and measures and they will have to get them verified from time to time. Inspectors will be appointed by the States.

PROF. MADHU DANDAVATE : All the points are withdrawn.

RAO BIRENDRA SINGH : Since Prof. Dandavate wants me to stop here, I commend that the Bill be passed by the House.

MR. SPEAKER : The question is :

“That the Bill to provide for the enforcement of the standards of weights and measures established by or under the Standards of Weights and Measures Act, 1976, and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration.”

The motion was adopted.

MR. SPEAKER : Now, we take up clause by clause consideration of the Bill.

The question is :

“That Clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

MR. SPEAKER : Clause 3. Mr. Patil, are you moving your amendment ?

SHRI D. B. PATIL : No.

MR. SPEAKER : The question is :

“That Clause 3 stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

Clauses 4 to 14 were added to the Bill.

MR. SPEAKER : Clause 15. Mr. Patil are you moving your amendment ?

SHRI D.B. PATIL : No.

MR. SPEAKER : The question is :

“That clause 15 stand part of the Bill.”

The motion was adopted.

Clause 15 was added to the Bill.

Clause—16 Persons using weights or measures for transactions or industrial production or for protections to get themselves registered.

SHRI D.B. PATIL : I beg to move :

Page 6, line 42,—

Omit “not being an itinerant vendor”

MR. SPEAKER : Now, I put the Amendment of Shri Patil to vote.

Amendment No. 3 was put and negatived.

MR. SPEAKER : The question is :

“That Clause 16 stand part of the Bill.”

The motion was adopted.

Clause 16 was added to the Bill.

Clause 17 was added to the Bill.

MR. SPEAKER : Mr. Patil, are you moving your amendment to clause 18 ?

SHRI D.B. PATIL : No, Sir.

MR. SPEAKER : The question is :

“That Clause 18 stand part of the Bill.”

The motion was adopted.

Clause 18 was added to the Bill.

MR. SPEAKER : Are you moving your amendments to clause 19 Mr. Patil ?

SHRI D.B. PATIL : No, I am not moving, Sir.

MR. SPEAKER : The question is :

"That Clause 19 stand part of the Bill."

The motion was adopted.

Clause 19 was added to the Bill.

MR. SPEAKER : Clause 20 Are you moving your amendment Mr. Patil ?

SHRI D.B. PATIL : No, Sir.

MR. SPEAKER : The question is :

"That Clause 20 stand part of the Bill."

The motion was adopted

Clause 20 was added to the Bill

Clauses 21 to 22 were added to the Bill.

MR. SPEAKER : Now clause 23 Mr. Patil, are you moving your amendment ?

SHRI D. B. PATIL : No. I am not moving.

MR. SPEAKER : The question is :

"That Clause 23 stand part of the Bill."

The motion was adopted.

Clause 23 was added to the Bill.

MR. SPEAKER : Are you moving your amendment to clause 24, Mr. Patil ?

SHRI D. B. PATIL : No.

MR. SPEAKER : The question is :

"That Clause 24 stands part of the Bill."

The motion was adopted.

Clause 24 was added to the Bill

Clauses 25 to 36 were added to the Bill.

MR. SPEAKER : Are you moving your amendments to clause 37, Mr. Patil ?

SHRI D. B. PATIL : No, Sir.

MR. SPEAKER : The question is :

"That Clause 37 stand part of the Bill."

The motion was adopted

Clause 37 was added to the Bill.

Clauses 38 to 59 were added to the Bill.

MR. SPEAKER : Are you moving your amendment to clause 60, Mr. Patil ?

SHRI D. B. PATIL : Not moving.

MR. SPEAKER : The question is :

"That Clause 60 stand part of the Bill."

The motion was adopted.

Clause 60 was added to the Bill.

Clauses 61 to 69 were added to the Bill.

MR. SPEAKER : Are you moving your amendments to clause 70, Mr. Patil.

SHRI D. B. PATIL : No, Sir.

MR. SPEAKER : The question is :

"That Clause 70 stand part of the Bill."

The motion was adopted.

Clause 70 was added to the Bill

Clauses 71 to 75 were added to the Bill.

MR. SPEAKER : The question is :

"That Clause 1, Enacting Formula and Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

MR. SPEAKER : The Minister may now move that the Bill be passed.

RAO BIRENDRA SINGH : I beg to move :

"That the Bill be passed."

MR. SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

PROF. MADHU DANDAVATE : Your speech was the longest.

MR. SPEAKER : Yes, I contributed the most.

MESSAGES FROM RAJYA SABHA

[English]

SECRETARY-GENERAL : Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha :-

- (i) I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on Thursday, the 29th August, 1985, passed the enclosed motion concurring in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the House on the Lokpal Bill, 1985. The names of the members nominated by the Rajya Sabha to serve on the said Joint Committee are set out in the motion.

Motion

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to provide for the appointment of a Lokpal to inquire into allegations of

corruptions against Union Ministers and for matters connected therewith and resolves that the following fifteen Members of the Rajya Sabha be nominated to serve on the said Joint Committee :-

- (1) Shri P. Shiv Shanker
- (2) Shri Hansraj Bhardwaj
- (3) Shri N.K.P. Salve
- (4) Shri Sultan Singh
- (5) Shri Anand Sharma
- (6) Shrimati Pratibha Devisingh Patil
- (7) Shri P. N. Sukul
- (8) Shri Baharul Islam
- (9) Shri Darbara Singh
- (10) Shri Lal K. Advani
- (11) Shri Virendra Verma
- (12) Shri Parvathaneni Upendra
- (13) Shri Dipen Ghosh
- (14) Shri R. Mohanrangam
- (15) Shri Murasoli Maran"

- (ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 29th August, 1985, agreed without any amendment to the Narcotic Drugs and Psychotropic Substances Bill, 1985, which was passed by the Lok Sabha at its sitting held on the 28th August, 1985."

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI H. K. L. BHAGAT) : Sir, just before I say a few words since the session is going to conclude, I wish to clarify one thing. There has been some confusion somewhere about the motion that was moved by Shri Ashok Sen yesterday regarding the submission of the Report to the House. The date mentioned in the Motion was not the first day of the next session, but it was 15th March, 1986. So the Report of the Joint Select Committee is to be presented to the House by 15th March, 1985. I want to clarify