

15.03 hrs.

The Lok Sabha re-assembled after Lunch at three minutes past Fifteen of the clock.

(Mr. Deputy-Speaker in the Chair)

**STATUTORY RESOLUTION RE :
DISAPPROVAL OF PREVENTION
OF ILLICIT TRAFFIC IN
NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCES
(AMENDMENT) ORDINANCE,—**

Contd.

and

**PREVENTION ILLICIT TRAFFIC
IN NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCES
(AMENDMENT) BILL—Contd.**

[English]

MR. DEPUTY SPEAKER : Hon. Finance Minister to move the Bill.

THE MINISTER OF FINANCE (SHRI MANMOHAN SINGH) : Mr. Deputy Speaker, Sir, I beg to move :

"That the Bill further to amend the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988, as passed by Rajya Sabha, be taken into consideration."

In recent years, India has been facing a serious problem of illicit traffic in narcotic drugs. To strengthen the drive against this menace, Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act was enacted in 1988.

This Act deals with orders of preventive detention against any person engaging in offences of illicit traffic in narcotic drugs and psychotropic substances. Section 10 of this Act deals with orders of preventive detention in cases of offences under the Act committed in what has been terms as "an area highly vulnerable to such illicit traffic" and indicates the period for which detention can be made without reference to the Advisory Board. In cases where declarations are made under Section 10, the maximum period of detention can be upto two years as against the ordinary period of one year. This provision was valid only upto 31st July, 1993. An Ordinance was promulgated by the President on 30th June, 1993 for extension of Section 10 for a period of three years beyond

31st July, 1993. This became necessary as the Parliament was not in Session. This Bill seeks to replace the said Ordinance.

The seizures of narcotic drugs and psychotropic substances in highly vulnerable areas account for 58 per cent, 73 per cent and 45 per cent of the total seizures in the whole country during 1990, 1991 and 1992 respectively. It was, therefore, felt necessary that the detention period of two years in respect of offences in vulnerable areas acts as a strong deterrent and, therefore, the provisions of Section 10 have to be extended for a further period of three years.

With these words, I move that the Bill further to amend the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act as passed by Rajya Sabha be taken into consideration.

MR. DEPUTY SPEAKER : Motion moved :

"That the Bill further to amend the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 as passed by Rajya Sabha, be taken into consideration."

[Translation]

DR. LAXMI NARAYAN PANDEYA (Mandsaur) : Mr. Deputy Speaker, Sir just now the hon. Minister has remarked that this Bill is a short one but the intention behind is not so small. I support the Motion of disapproval moved by Shri Nitish Kumar. This support is also required in view of the Governments' tendency of promulgating the ordinances each and every time. This is true that these drugs are being misused or the tendency for misusing these drugs are on the increase which is not a good thing. This is also true that the existing laws are not being observed in the right earnest which may be a result of their shortcomings. Instead of promulgating ordinances it would have been better if you had worked in a practical way; then the ordinance was not needed. When it was in your knowledge that the 3 years' period is going to complete then you could have done it by bringing a Bill in the last session. The hon. Minister has taken this step in a hurried manner. He was very much aware of the ensuing July session, even than he did not wait for it. I condemn such type of tendency. The number of ordinances promulgated during 1990-91 is lesser than the ordinances promulgated in 1991-92. The number further increased in 1992-93. This tendency is ever

increasing. The Government says that these Narcotic Drugs are adversely affecting the psychology of the people. But what to say about the growing ill-trend of the Government for promulgating Ordinances frequently. In order to prevent such ordinances the Government should check this ill-trend.

I would like to know from the Government. The number of cases detected, number of culprits punished, the quantum of contrabands including Opium, Hashish and Heroin during 1991-92 and 1992-93. So far as I know, some days back you had mentioned that 12 thousand persons were arrested. In this regard I want to know the number out of them against whom cases were filed. There were Detention orders for 97 persons and 80 persons out of them were arrested.

You had mentioned at one place about special courts, that speedy decisions will be taken through these special courts. What happened to those special courts about which you had made a mention? I want to know as to what extent this illegal trade has increased. The Government has admitted in this Bill that :

[English]

"Explanation 1—In this sub-section, area highly vulnerable to such illicit traffic" means—

- (i) the Indian customs waters;
- (ii) the customs airports;
- (iii) the metropolitan cities of Bombay, Calcutta, Delhi, Madras and the city of Varanasi;
- (iv) the inland area one hundred kilometres in width from the coast of India falling within the territories of the States of Andhra Pradesh, Goa, Gujarat, Karnataka, Kerala, Maharashtra, Orissa, Tamil Nadu and West Bengal and the Union territories of Daman and Diu and Pondicherry;

[Translation]

What arrangements have you made for putting a check on smuggling activities in the custom areas as mentioned above? I want to mention the names of Barmer, Jaisalmer of Rajasthan and Kutch, Jamnagar & Junagarh of Gujarat which are close to the borders of Pakistan. Smuggling is rampant in these areas.

It is true that upto some extent you have put a check on smuggling activities in Punjab but smuggling activities are openly being carried out in Gujarat through sea. Not only this, besides Narcotic Drugs, Arms are also being smuggled openly which were earlier used during bomb blasts in Bombay. Same thing happened during a bomb blast in Sangh office in Madras in which many persons were killed. Now they are centred in Madras. I was mentioning that there are lot of lacunae in the legislation of 1985. There are provisions in sections 83, 84, 85 of Criminal Procedure Code that you can attach the property of the one who has been restrained. But if he is arrested or has received a summon from the Court then you cannot attach his property. Only in the case of his being a fugitive you can attach his property, you can make amendments in this regard. Are you considering for any amendments? You can raise its period by three years but unless you make other provisions in it you cannot make it more effective.

Some days back, I came to know through newspapers that these days Manipur has become a centre for Narcotic Drugs and 88 percent population is involved in the Hashish business. Hashish is smuggled there from Burma border. What steps are being taken by the Government in this regard? More than 80 percent people have become drug addicted. Be it Delhi, Calcutta, Bombay or other small cities, heroine is openly being sold every where. You can even get it at a pan shop. What action is being taken by the Government in this regard? You cannot do anything by merely bringing an ordinance. I am making an allegations against your officials that it is done with their sinister alliance. They know about it and even then they are unable to apprehend the culprits. I know the officers involved in the production of Heroin. The flowers of opium are powdered and being transported through trucks. They have their godowns, which have more stuff than the licensed capacity. The officials very much know about it but are unable to apprehend them. I want to submit that this sort of tendency is increasing. If the officials earnestly perform their duty, this tendency can be arrested. Otherwise your COFFEPOSA or MISA will go ineffective.

I want to submit that sometimes poor farmers are arrested in the case of opium powder, whereas they are not guilty. You say that the farmers will not sell or keep Doda powder from July onwards if he does so he will deserve

punishment but the stuff which he is forced to sell at Rs. 50-100-150 per quintal is sold at Rs. 3000 per quintal in the market. This way, the farmer does not get a fair price and as a result of this the opium is smuggled. The farmer gets Rs. 250-300 per quintal whereas the market price is between Rs. 3000 to Rs. 4000. If the farmer does not get the proper price then naturally he will smuggle it. I request the hon. Minister to provide proper price to the farmers. You have a pressure from the developed. Countries and thereby you are gradually reducing its prices;

but the number of drug addicts is increasing in developed and developing countries. Even America and U. K. are facing this problem and the number of the drug addicts there is also increasing that is why they are mounting pressure on us. This is also being smuggled from Burma and Thailand America put a pressure on Thailand and as a result of that it was banned there but even then it was being smuggled from Thailand, Burma and other countries. There is such a problem which cannot be attached to India only. This is a global problem. Thailand, Burma and Lagos were called "Golden Triangle" and Afghanistan, Pakistan and Iran were called "Golden Crescent". This is not limited up to India only. The pressure of America and U. K. on these countries cannot work as they themselves are having this menace. This must be stopped and all effective steps should be taken in this regard but it certainly requires the officials to perform their duties vigilantly and honestly. I do not want to mention the names of those officials of Central Excise, whose premises were raided and assets worth lakhs of rupees were discovered. If the officials work honestly such tendencies can be checked but they are not honest to their work. I do not say that everybody is corrupt there but there are a number of officials who need to be investigated. Therefore, give a considerable thought to the provisions made in it and merely enacting the law or extending its period up to 1996 will not set the things right. I am not disapproving the Bill but want that the same should not be misused. I would also like to point out that unfortunately, the implementing machinery of the law i. e. the officials, misuse these provisions and as a result of which the culprits remain free and innocent poor farmers or ordinary persons are implicated by the police. Other vested persons who are indulged in such illegal trade also do injustice to the poor farmers by making false cases against them. It gives an impression that due to the carelessness and inefficiency of the Government such

tendencies are increasing and the Government is not shouldering its responsibilities in an honest way. This should be checked by adopting every possible measure.

I once again reiterate that this tendency should be checked. The habit of taking drugs in the people, specially in the youth should be outrightly discouraged and thus avoid a social and financial crisis being posed by it. The hon. Minister should see to it that his department may work with dexterity and honesty and by keeping a vigil in catching the culprits and seizing such items. I have already told him that opium growing farmer are suffering a lot. Some days ago, I had requested the hon. Minister of Finance to provide help to such farmers as their crops were destroyed on account of a cold wave but no help was given to them. This situation prevailed in Rajasthan, Nimar, Chittorgarh, Jhalawar, our state as well as in Uttar Pradesh. The farmer in these states are in distress. As I have already told you that this is the sole reason of suffering. You catch hold of the real culprit.

[English]

MR. DEPUTY SPEAKER: Shri Ramesh Chennithala.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): Sir, I have a request, Our speaker, Prof. Sudhir Ray has to catch the train. So, kindly give him some consideration.

MR. DEPUTY SPEAKER: Shri Chennithala, would you like to accommodate him? Now, you stand a chance. If you just accommodate him, you can speak next.

SHRI RAMESH CHENNITHALA: Okay.

DR. SUDHIR RAY (Burdwan): Thank you, Deputy Speaker.

Sir, I support the Bill. But the way in which the Bill has been introduced, cannot be supported, because an ordinance was first promulgated; and now this ordinance is going to be replaced by a Bill.

Sir, this reliance on ordinance is very much objectionable because it leaves great power to the Executive; and the Government feels that whenever an ordinance is promulgated, it is the duty of the party Members to support it and to make it as a law.

It is admitted by all that drug menace has become a great menace in our Indian society. It

is destroying the social fabric of our country. Lakhs of young man have become drug addicted; and due to unemployment, due to other frustrations, they become easy prey for this drug addiction and as a result, they become nervously weak and ultimately they succumb to death. This problem is growing year by year. In 1988, this Bill was passed; but since then, India has become a special conduit of this narcotic drugs and psychotropic substances. Due to the contiguity with the countries of Golden Crescent and the countries of Golden Triangle. India is very much open to this drug trafficking. Pakistan, Iran and Afghanistan are making huge profits because of this narcotic drugs. ISI, the Intelligence Service of Pakistan nets about 13 billion dollars a year from this drug trafficking. And consequently they use this sum in financing the terrorist groups which are operating in Punjab and Kashmir. Therefore, we must be aware of this problem.

Even in North-Eastern States, this terrorist menace has become a great menace. In a meeting, I heard Manipur CM saying that even school children are drug addicted in Manipur. Therefore, India must take proper measures against this drug menace.

We know the experience of Latin America. In Latin American countries, often drug lords are directly aided and abetted by the Pentagon, by the CIA. Under the umbrella and cover of CIA, these drugs lords operate; they squeeze people; they destroy their economy; and they remain in power. We all know the activities of the foreign drug lords. America can teach Iraq a lesson: but they never teach the foreign drug lords, a lesson! But, when they are dissatisfied with the ousted ruler of Panama, then they said, "Well, he is a drug trafficker". But, before that, they never took any measure against the Panama dictator.

This proposed Bill has draconian measures. We are afraid. We do not oppose harsh measures; but we are afraid that often democratic movements are stopped under such repressive Acts. When the Government passed TADA, ESMA or NSA, we are given assurances that these draconian measures would never be used against political opponents. But, what is the reality? We find that in different States of India, often TADA is used against political opponents. Often ESMA and NSA are used to suppress genuine trade union struggles. Therefore, we argue that these measures such as detention without trial should be used with utmost discretion so that common people do not suffer.

We should also mention that often drug carriers are put into jail; often petty smugglers are sentenced. But, what about the drug lords? What about the big guns? In this country, now, there is a nexus between the drug lords, smugglers and some political leaders. The Bombay blast and the Calcutta blast have proved beyond doubt that politicians are very much powerful. They have much clout and they often evade the law. Often, we find that the police do not do their duties because they are under pressure. Therefore, whenever there a deterrent law, it must be used against the big lords. What is required is this. There must be an all-out campaign against this menace. There must be media blitz. People must be aware of the drug menace. People must be aware as to how drugs destroy the social fabric and the society.

But, the other day, in West Bengal, an young, prominent man was butchered. What was his guilt? He tried to resist the drug carriers. He tried to resist the drug barons. Everywhere, the Government should come forward to help voluntary societies which are trying to check this drug addiction. Hence, what is required is a determined struggle from all sections of the society. Merely police actions will not suffice; merely strong measures 'on book' will not suffice. What is required is cushion by common people against this drug menace. Thank you.

SHRI NIRMAL KANTI CHATTERJEE : May I just add this? The person who has been murdered by the drug traffickers belong to my constituency; and he was a volunteer during my election campaign. He was a DYFI worker.

MR. DEPUTY SPEAKER : Shri Ramesh Chennithala. Everyone will get five to six minutes.

[Translation]

SHRI RAMESH CHENNITHALA (Kottoyam) : Mr. Deputy Speaker, Sir, I rise to support the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substance (Amendment) Bill. Sir this Bill has been brought with limited objectives. Its scope is very limited. I agree to the views expressed by my other colleagues. Today, it is serious problem before our society. Not only India but the entire world is facing this problem. Just now one of our CPM friends has stated in details as to how narcotics have affected our country as well as other countries of the world. The use of narcotic drugs have created problems in every corner of the

world. Youths in every country have got affected by these drugs. You can find drug addicts in every corner of our country, particularly in colleges, schools and hostels. The diseases caused by taking of drugs have also been mentioned here. According to a survey report conducted in India, it has been found that the consumption of narcotic drugs is more in girl's hostels. We should try to check it.

The national economy and the Government of Panama are totally dependent on drug production. A reference of golden triangle has also been made here. The Drug production in Pakistan, Iran and Afghanistan has created problem in this region.

Our Government has passed a Bill in 1988 to check drug trafficking and the present Bill has been brought by our hon. Finance Minister to replace the Ordinance. Here I must say one thing that merely passing of Bills will not serve any purpose. They should be adhered to strictly. Many laws have been enacted so far by our Parliament by they are not adhered to. Even today the illicit trafficking of drugs is going on a large scale in our country. The Government has taken certain steps through Customs and Revenue intelligence agencies but the hon. Minister has himself stated in the statement of Objects and Reasons of the Bill that the use of drugs has increased in last three years. Some steps have also been taken by the Ministry of Welfare. Crores of rupees are being spent on it but the benefits are not reaching the affected people. I think the endeavour, which is being made, is not in the right direction. Therefore, I would like to request the hon. Finance Minister to call a joint meeting of the officials of Finance Ministry and Welfare Ministry to chalk out a new plan so that steps could be taken to rehabilitate the affected people.

Drug trafficking is going on a large scale at our borders. I have read it in the newspapers that the terrorists are also making our paramilitary officials drug addicts and then using them for smuggling purposes. The Government should remain vigilant about it and keep a close watch on such activities.

One more point I would like to submit that the Government should review the work of Customs and Revenue officials posted at Air ports. Honest persons are not posted there. The past record shows that dishonest persons have been posted there. The Finance Minister should look into it. Our youths are disappointed because they are not getting any employment

They are facing many other problems also and as a result of frustrations they start taking narcotic drugs. Therefore, I would like to submit that merely enacting of laws will not serve the purpose. We have to take certain stringent measures. This problems is increasing in vulnerable areas. The areas like Goa Beach are more affected by the drug abuses. Therefore, an effective check on drug trafficking is must.

With these words I support the Bill.

SHRI RAJNATH SONKAR SHASTRI (Saidpur): Mr. Deputy Speaker, Sir first of all I would like to congratulate Shri Nitish Kumar for expressing his views on the Bill and welcome the motion for disapproving the ordinance.

The Prevention of illicit traffic in Narcotic drugs and Psychotropic Substance (Amendment) Bill, which has been presented in the House, has already been brought into effect by the Ordinance. While opposing the practice followed by the Government I would like to say that the issuing of such Ordinance was not correct. Now you are presenting it in the form of an Amendment Bill, so same thing could have been done earlier also and in a better way.

Sir, the major problem the country is facing today is the smuggling of narcotic drugs. Besides, the smuggling of explosive substance alongwith the narcotic drugs has created more horrible problem before the country.

If we have to see the fresh example of consuming narcotic drugs, we can go to any school or college and see. We can find there as to how many people of our society are getting badly affected by the abuses of drugs. Even some of the would be IPS can also be seen under the influence of smack. The most regrettable thing is that the smuggling of narcotic drugs is being done under the patronage of law protectors. I would like to cite some examples in this regard.

Lucknow is the capital of Uttar Pradesh. We have recently read in the newspapers that one MLA was caught red handed in opium smuggling. Another MLA who belongs to Darul Safa was arrested with a huge stock of narcotic drugs. The local police officer wanted to penalise him under MISA but unfortunately the Police Officer was punished. He was demoted and transferred. On the one hand we shield the criminals and on the other we talk of checking crime by bringing such Bill. Therefore, we have

to think as to how we would like to deal with such sensitive matters.

Two responsible ministers are sitting here. I am not talking of far away site but about North Avenue. It is a matter of great regret that in the North Avenue, where Members of Parliament are residing, a big smuggler of narcotic drugs operating there. He travels in red light car bearing MP's label. He frequently challenges and claims that almost 50 MPs were in his pocket. He is operating in connivance with the local police. The police is aware of his activities but even then they do not take any action against him. Not only this, recently he has severely beaten up the real brother of an MP and whose case is sub judice. Such a big smuggler is wandering scot free and four MPs flats are in his possession. He is getting Government protection. It is really a painful situation. In which direction we are heading for? In what way we are trying to prevent smuggling by bringing this Bill when we ourselves are involved in this trade.

It is unfortunate that our borders are of some what different type. We have a long sea border, then on the North-East side we have Burma, Thailand and Laos called golden crescent and on the west we have Pakistan, Afghanistan and Iran, which is called golden triangle. That is why our borders have become the centres of smuggling. Recently the Interpol has stated in its report that India is the biggest route for the smuggling of narcotic drugs to USA and Europe. The Government intends to check it by enacting law. It is right to enact laws but at the same time it should be enforced effectively.

If the Government think it so important, then why the Government do not create a separate ministry for it. It is a big problem that the country is facing today, therefore, the Government should create a separate ministry for it.

I am submitting some figures in this regard 75,212 kg. narcotic drugs were seized during six months of 1993, 11,500 persons were arrested under this Act in 1992-93, 93,116 and 38 foreign nationals were arrested in 1991, 1992 and 1993 respectively for the smuggling of narcotic drugs.

Some facts have also revealed that some custom officials are also involved in it. One of our colleague has rightly pointed out that some custom officials are also operating in connivance with other smugglers. There are hundreds of such cases.

There had been terrible bomb-blasts in Bombay killing hundreds of people. There were blasts in Calcutta, Lucknow, Varanasi and Delhi also which killed many people. If we look at things closely, we find that drug-traffickers were involved in this also. One more fact has come to light that the drug traffickers are involved in international terrorism also. If we review the problems of Punjab, Kashmir and eastern regions of Assam, we would find the same factor responsible for it.

Now, I would like to draw your attention to a basic problem i.e. unemployment. The unemployed youths of our country are drifting away anchorless. They find drug-trafficking an easy way out. I want to cite an example here. A youngman of Bihar was travelling in a train. He met a drug-trafficker at Varanasi. He took his meal with him and remained with him in the train during the journey. After a while he said that he had to make a halt at Lucknow and then requested the youth to hand his packet over to some office. He gave him an amount of Rs. 500 to do that. The unemployed youth was very happy to receive that amount. He did not know what the packet contained. He was arrested on reaching Delhi. He is still in jail. If we intend to do away with this problem then, first we will have to find a solution to the problem of unemployment which is correlated.

I would like to say about this Bill that you have made a provision about house-arrest and have sought the powers to extend the detention-period upto three years. It is a good thing. You should get this power. But there are certain loopholes. If the case is sub-judice then, no person is arrested, his property cannot be confiscated. You have admitted in the objectives and reasons that from the point of view of the provisions of section 10 and Section 11 the danger of illicit trade of narcotic drugs and psychotropic substances has not abated in any way in the said areas. You agree that the trafficking is increasing in the country. The trafficking of psychotropic substances is increasing. You admit this fact and incorporate an amendment. But your amendment is not clear. Powers are needed in this matter. You have Stated that under Sub-Section (1) of Section 10 of the said Act, if a person is detained before 31st July, 1993 and if his detention period is somewhere between three to six months, then, he can be detained. But if he is detained for a period exceeding 6 months without the assent of the Advisory Board, then, this order is liable to be revoked. I would like to know from you that

since the matter is so sensitive and you are very worried about it, then, why did you not demand this period to be 6 months to one year in place of 3 months to 6 months. You may promulgate an ordinance that it should be 6 months in place of 3 months. If you want to root it out, then, the law should be properly amended.

I also want to say that this matter relates to Revenue Department but I don't understand why it is related to the revenue department because the revenue department does not have any task force. The Revenue Department does not possess the means to intercept the dreaded traffickers. They have to seek aid and protection from other departments. There is want of coordination in all this. The whole country is afflicted with this serious problem. The whole world is discussing it. The borders of India have become the main centre for drug-trafficking. A separate Ministry should be created in order to eradicate this menace and check it effectively.

With these words, I conclude by saying that effective arrangement be made in this Bill to root out this problem.

[English]

SHRIMATI GEETA MUKHERJEE (Panskura): Mr. Deputy Speaker. Sir. I am really unable to understand, despite the fact that world over narcotic terrorism has become a terror by itself, and despite the fact that the Minister himself admits that for three years it is all increasing, why an Ordinance has to be brought? It should have been tackled much earlier. In fact, you remember our Inter-Parliamentary Conference had focussed its attention very prominently on this question of narcotic terrorism. So, I am really very sorry why this Ordinance has to be brought?

Many of my hon. colleagues have pointed out that actually the worst victims of this narcotic terrorism are not only the unemployed young men but even women and also the poorest of the poor. So, naturally, that is a breeding ground which encourages this.

Now, I have some observations to make. Of late, we have seen that those boys or girls or ordinary labourers, who were connected with narcotic drugs, they themselves were taking those drugs or selling them. Once they are trying to get out of that habit, we find often that the gangmen with whom they were connected earlier were making this fellow the target, who is

trying to get out of this. This is a very serious thing. So, I think, that this particular aspect also must be looked into; that is what we can do to save those who are really trying to get out of the net as a result of being threatened and sometimes even murdered.

Many of the customs officials have said about the success of their raids. I do not want to repeat them. The success of raids is really very small.

Since narcotic terrorism is a world phenomenon and America itself is involved in it in a very big way and all States adjoining us. Many of my colleagues have pointed out about the Golden Triangle and Golden Crescent. What steps have the Government taken to prevent this thing with those governments who are involved in this narcotic business? Uptill now, I have not heard of any serious attempt to take it up with the Governments, those are involved in it. What has been done about it? Enough has not been done about it. What does the Minister contemplate to do about it?

I also agree with this that three years period should be there, but, at the same time, we should be careful with regard to who is really being caught. Sometimes due to all these factors as well as political patronage enjoyed by the narcotic terrorists in many places, it is true that there is also a possibility that this particular provision will be misused. We have to see to it that this is not done.

Lastly, I would like to state that this kind of a crime really cannot be dealt with only by the Government or only by the police or only by the customs. It is a big social movement, which, if can be built, can really help us in a big way. To my mind, we have as yet failed to develop that social movement which we should; and that is a point which should be understood by us in our fight against terrorism.

I draw the pointed attention of all the friends here as well as outside that we have give lot more thought in developing this movement. I, Sir, support the Bill, as it stands.

SHRI BJOY KRISHNA HANDIQUE (Jorhat): Mr. Deputy Speaker Sir. while supporting the Bill I want to pose a few questions to the Home Minister. The deterrent actions, punitive measures all are well defined in the Bill. But we should bear in mind, no deterrent action, no punitive measure, no extension of time will help us overcome the situation

created by drugs unless we have the problem in the right perspective.

Sir, we should also bear in mind that India long regarded as a mere transit point, is no longer just that. There is evidence that substantial processing of opium into different stages of heroin is taking place within the country and foreign mafia connections are also growing.

It is a great moment of truth and let us do some rethinking. In this context, I want to pose a few questions, I may be wrong, I may not be having right information. Therefore, I want to pose a question to the hon. Minister, whether it is true that we import 700 tonnes of poppy seeds from Pakistan and Afghanistan where poppy cultivation is officially banned. If that is so our position will be that while we condemn these two countries for their illegal narcotic business, yet we import them for medical purposes. So the position will be that India imports illegal poppy legally. I think, the hon. Minister will give a clarification for that.

Secondly, Sir, officially India grows 995 tonnes of opium from 31,359 hectares under poppy cultivation in Uttar Pradesh, Rajasthan and Madhya Pradesh. But could Government assure the House that restrictions have been maintained? An unofficial estimate says that Uttar Pradesh alone accounts for 45,000 kg of excess cultivation.

15.58 hrs.

(SHRI SHARAD DIGHE *in the Chair*)

Sir, officially proliferation of poppy is not allowed. But is not the Government capable of taking effective measures in containing proliferation in these three States? One effective step has been suggested over the years that poppy cultivation must be kept far away from the border. Since all laboratories for converting opium into heroin are reportedly located on the other side of the border besides those illicit one operating in the country, so it is imperative that the Government relocates the legally licensed poppy cultivation areas far away from the border.

Besides, Sir, have a look at the map of the drug trafficking network. On the West, we have the Golden Crescent and in the East, we have the Golden Triangle. A 5 year old survey suggested that there are at least 12 laboratories located in Chagai Hill area i.e. Baluchistan, Pakistan and Afghanistan border, producing heroin and most of the heroin produced in this region is

destined for Iran, then to Turkey and other European countries via India.

16.00 hrs.

Secondly, Sir, in the East the situation is far worse and the North Eastern region is at the receiving end. Some reports claim that there are 64 laboratories located just outside the Indian border and illicit trade is being carried on in North Eastern region, particularly in Manipur and people from all over the country go there and carry on this trade. Like the Western front the situation there has developed into narco-terrorism. For terrorism in both these frontier regions is sustained by drug money. Much of the inter-ethnic group rivalry and clashes in the North Eastern region may be due to this rivalry in this illicit trade.

In the North Eastern, there is another serious consequence of this illicit drug, that is AIDS. As, you know Sir, the drug route identified with the AIDS route.

Now the question arises whether the Government with all its force of Narcotics Control Bureau will be in a position to handle the drug trafficking emanating from the Golden Triangle and the Golden Crescent to the tune of about 2500 metric tonnes of opium? To add to this, there is trafficking across the Indo-Nepal border. There is already existing drug trafficking within the country and again it is due to misuse of the poppy licence.

Sir, an Operation Research Group Survey on Drug Abuses in the country for Metropolitan Cities shows that Delhi recoveries of heroin increased from a negligible 102 grams only in 1981 to 200 kgs. or more in 1988-89 and the proportion of consumption of small quantity cases from about 10 per cent in 1985-86 to more than 45 per cent in 1988-89.

Sir, the survey says that there is practically no system of coordination between enforcing agencies and various organisations including the voluntary organisations engaged in demand reduction activities. There is no effective system of coordination between various Ministries and departments involved in demand reduction work. The NCB, i.e. Narcotics Control Bureau, which is basically an enforcement and intelligence agency with little expertise and little experience in the area of demand reduction is neither suited nor properly equipped nor appears to carry enough weight to organise such coordination.

I do admit that the survey report may not be all true, whatever is said may not be true but let us have some rethinking. Government gets full support from the Parliament for fighting this drug menace. But the Parliament has a legitimate question to ask also, as to how far the Government has been successful in containing it.

Display of seized drugs on the media and electronic media is no measure of success.

Rather, one is convinced after having seen it, that it is only the tip of the iceberg. Also, the time has come to display on the electronic media how our generation is being degraded, morally and physically maimed psychologically and spiritually. Because the future of the nation is crumbling and is being denuded of its moral and spiritual values. History will not forgive us if we fail to stem this rot.

With these words, I support the Bill and I do hope that after the passing of this Bill, with all the deterrents and punitive measures which are well defined in the Act the Government will go ahead and will be able to contain this menace which has been rather a cancer to the whole nation.

[*Translation*]

SHRI RAM KRIPAL YADAV (Patna): Mr. Chairman, Sir, I support the Narcotic Drugs and Psychotropic substances Illicit Trade Prevention (Amendment) Bill, 1993 introduced by the Government. It is a good thing that the Government propose to check the narcotic drugs trafficking in the country through this legislation. The number of people resorting to narcotic drugs is on increase not only in our country but also at the international level. So, it is not a matter of checking the increasing tendency to take drugs in Indian citizen only but also in the young students, labourers in the world. Therefore, this Bill introduced by the Government is a welcome step.

Mr. Chairman, Sir, earlier the number of people taking drugs was quite less but, of late, there has been a continuous increase in it. This habit exists mainly among youths equally in men and women. Now, even the school children are also getting hooked on it. This menace has assumed alarming proportions. The future definitely looks bleak if we do not take effective steps and with a view to launch a campaign against those who are actively involved in this trade. The

school children are becoming more and more susceptible to this pernicious habit. The initial habit of taking drugs goes on to become a vice, thus leading to a deterioration of physical and mental reflexes. The future of brilliant children becomes dark.

Mr. Chairman, Sir, I would like to say that the Government should come out with more stringent measures in order to check the trade of narcotic drugs because our children have fallen prey to this and they need to be made free of this habit. The Government will have to launch a campaign to save the future of our country from turning darker.

Mr. Chairman, Sir, I would like to say that the Government would have to intensify vigilance in the states which are adjacent to the borders of our country. This issue has been mentioned by our other hon. colleagues also. The Government will have to launch a special campaign to take action against those gangs, who are involved in such activities. The Government should not spare even the politicians if they are associated with this loathsome affair. It has also been discussed in this august House that the Government should not be hesitate to take action against those politicians also who are providing protection to such heinous activities. Mr. Chairman, Sir, I support the views of our colleague Shri Ramesh Chennithalas that law should not be confined to papers only. Whatever law is made it should be enforced in letter and spirit. The motive behind the enactment of these laws should be materialised by enforcing them practically in good spirit.

Mr. Chairman, Sir, the Government should take effective steps against the people involved in these heinous activities and the action plan should be implemented on war footing. The Government should not spare those persons who are playing with the future of the country rather a provision should be made to award severe punishment for them, so that our coming generations may not be endangered. Beside it, the Government should launch a campaign on war footing to bring back our frustrated youths on right path.

Mr. Chairman, Sir, I would not like to take more time of the House and conclude with this request that through this Bill the Government should take stern action against the persons involved in this illegal trade of drugs and would take effective steps for the welfare of our children and college youths.

SHRI RAJVEER SINGH (Aonla): Mr. Chairman, Sir, I support the disapproval motion moved by Shri Nitish Kumar. My submission is that there is no scarcity of such laws in our country but I do not understand that these laws are doing some remarkable work for the welfare of our society. I would like to present its other aspect also.

Opium is cultivated in three or four states of India. It is cultivated in Madhya Pradesh, Rajasthan and Uttar Pradesh. It is cultivated in my constituency Aonla and in its neighbouring areas also like Badaun and Shahjahanpur and every year the concerned Department of the Government is reducing its cultivable area on some or the other pretext. Thus the Cultivation of opium is reducing every year.

THE MINISTER OF FINANCE (SHRI MANMOHAN SINGH): It must be so if the demand is low.

SHRI RAJVEER SINGH: Please at least listen to me first. Sir, the Government is simply reducing its cultivable area gradually on one or the other pretexts. But it is not at all proper on the part of the Government. I would like to ask as to where from those drugs are coming in the market particularly when the production of opium is being reduced gradually in the country. The production is declining. The Government is not issuing new licences, and old licences are also being cancelled and even then this business is on the increase. It implies that it is being done illegally. I would like to cite an example to show as to how badly the concerned Department is involved in such practices. If a person who has got the licence to produce opium in an area of one hectare and he sows it in two hectares and he bribes the Government official who visits for an inspection there, then the production is showed in an area of one hectare only. These people produce opium in more area than the required area as stipulated in their licences. I have been drawing the attention of the Government in the meetings held from time to time in this regard; but the Ministry turns a deaf ear to it. There is some sort of collusion in the officials of your Department, from top to bottom. The Government must find out as to how the staff from top to bottom are capable of constructing their magnificent buildings. The enactment of laws has created one more problem. These laws have enriched the Police officials with new kinds of privileges. Now if a person is arrested for any crime and somebody had a word in the ears of police to play such a

trick as the accused should not be bailed out for one year, and he should be harassed in Police custody. Then the Police officials try to frame such charges against the arrested person in one way or the other as the person may not be able to get himself released from the Police custody. The Police officials use these laws against him. The Police officials put the 50gm, or 25gm, or 10gm opium into his pocket and impose these laws against him. If the person greases the palm of the Police officials he is released otherwise he would have to remain in prison for a much longer period. The law is being misused to such an extent as is beyond your imagination. For example, the MISA and the COFEPOSA Acts were enforced and the Government started to apply them against its political rivals. Similarly, these laws are also being misused against certain persons. However, I respect the Government's feelings that narcotics drugs should be banned in the country, but the manner in which the Government is exploring methods for their eradication, will not serve the purpose, because it is a very serious problem and as the hon. Member has just pointed out that very big gangs of mafias are living in North Avenue. They are involved in the traffic and they cannot be touched even. The law is unable to apprehend them. These big mafias engage the poor or ordinary people and finance them, provide protection to them and run the business through them. Now the result of all this is that the problem is gradually becoming deeprooted.

Mr. Chairman, Sir I would like to tell the story of my own constituency. A boy came to my constituency from any other place after learning the method of preparing heroin and started a business of heroin and I saw that he erected his bungalow very soon. When he was killed in a car accident, I thought that this drug traffic will cease after his death, but what has actually happened, this illegal business has flourished all around, because the person has left after him a big army of his disciples who are preparing the heroin at several places while it was previously confined to one place only. It is spoiling the life of small children in the families there. Previously it was a saying that if somebody had any ill feelings against any family, he used to upstage some member of that family to contest an election, now the trend has changed and today if somebody wants to settle accounts of his enmity with a person, the former would make the latter taste heroin.

The person concerned will automatically be spoiled. This is the real condition of the country

and you can yourself understand the gravity of the problem. Therefore, the prohibition is a must. There are no two opinions about it, but I am of the opinion that the Government will not succeed in this task merely through the legislative measures which it wants to adopt. I am of the opinion that the Government will not attain success in it because this law is being misused in several places. Here I would like to illustrate an example of my own Constituency. Three and a half kilograms of opium was stolen from the house of a farmer. He went to the police station to lodge an F.I.R. The police asked him to whom he had suspected. He stated that the shoes of his servant were found there, perhaps it may be possible that he might have stolen the opium. The police nabbed the servant but the hon. Minister you will be surprised to know that out of three and a half kilograms of opium, only half kilogram of opium was shown to have been recovered and remaining three kilograms were vanished. When I reported the matter to the concerned S. P. there, the case was however probed but the unanimous finding of the enquiry made by the Police officials was that the quantity of the stolen opium was actually 3 kilograms but only half kilogram of it was recovered. Now the question remains as to what happened to three kilograms of opium? It means it has been digested by the Police Administration. Out of this digested quantity of 3 kg, they will sell two and a half kilograms of opium and half kilogram of opium will be misused as pretext to arrest the poor people and put them into jails. I would like to suggest the Government to pay some special attention to it. Only enacting laws will not serve the purpose. For this, the people of the society will have to be inspired and trained so that they may realize the severe danger of this dreadful disease and extend their full cooperation in rooting out this ill from the society.

Secondly, the farmers will have to be taken into confidence. Today the Government purchases opium from farmers at the rate of Rs. 200 per kilogram, whereas the market price of opium range from Rs. 5000 to Rs. 7000 per kilogram. Thus the Government is compelling the farmers to resort to unscrupulous means of selling their opium in black market. The opium sold in black market is being utilised to prepare heroin that is spoiling the life of youth all over the world. I would like to request the Government to find out some way to restrict the farmers to adopt such unscrupulous means of selling their opium in black market. In my opinion, it would be better to provide remunerative prices to the farmers for their opium so that they may

not run in black market for selling their opium on high prices.

Now the question is as to what should be criteria of the investigation. There are so many shortcomings in this Department. A person produces opium in Madhya Pradesh but his opium is sent to Ghazipur, Uttar Pradesh for investigation. The report of the investigation in regard to the opium sent reaches after 6 months and the report states that the opium is not found fit as per the criteria fixed by the Government.

Now, nobody knows as to where this opium was replaced during this long period of 6 months. In a meeting attended by high officials of the Government I asked them to find out such a way as the innocent persons may not be penalised. The investigation officials collect so many samples of opium of various farmers and pack all the samples in a sack and send these packages to the laboratories. When the samples are sent in a lot in one sack, it is very much difficult to sort out the packages of different farmers particularly when the officials are corrupt; because they are in collusion with the persons having vested interests. The samples of these farmers who grease the palms of the officials of purchasing centres, are passed and who do not do it, are deprived of the benefit and their samples are rejected. Mr. Minister, Sir, you are a very intelligent person, please make such arrangements as the blot of corruption on the face of your Department may be removed; and the future generation may not be the victim of the menace of drug abuse. Besides it, the farmers may have a respectable course of life and their labour is properly rewarded.

I would not like to speak more in this debate because some of our hon. colleagues are waiting to speak on this topic, but I would definitely like to urge the Hon. Minister to take personal interest in this Department because last time also you have handed over this Department to some other Minister. When the meeting was held and the issue was raised in it, nobody listened to me. It caused me a great embarrassment later on. Please make the officers also understand that they should not think themselves as supreme and whatever they say is always correct. Secondly, they are the investigating authority and so they claim that they have looked into the matter and found everything correct and at this stage they can do nothing in that regard. I want that the investigation should be conducted to grass root level also. The far-

mers also should be heard as to how they are being harrassed. Mr. Chairman, Sir, through you, I would like to request the Hon. Minister of Finance to give an opportunity to the people in this regard for becoming honest and he himself also should remain honest. With these words, I conclude and express my thanks.

[English]

SHRI YAIMA SINGH YUMNAM (INNER MANIPUR): Mr Chairman, Sir, I rise to support the Bill. While supporting the Bill, I would like to mention that the problem of illicit traffic in narcotic drugs has become grave. So, the proposal of extension of the period for another three years will not serve the purpose. The Government will require, I think, more than that. However, the Government may come up with another extension after the three years are over.

Sir, my concern is about the power given to those officers who will act on this Act. I am afraid that they will be misusing the power under this preventive detention. It has been misused in many parts of the country and particularly, in my State, because influential persons and officers can put any person accusing him that he is engaging in this offence and put him under detention for three months without obtaining the opinion of the Advisory Board or without producing him before the Advisory Board. So, an interested officer or an influential politician can misuse the power. After three years they can release the person or persons for a shortwhile and they can again put them; until those persons come under their terms. So, I would like to urge the Government to look into it so that the powers given under this Act may not be misused by the officers or the implementing officials.

Sir, prevention alone will not be able to curb this problem. As you know without some programmes being taken up alongwith preventive actions, we shall not be able to tackle the situation. So, I would like to propose to intensify the awareness programmes, education programmes and counselling programmes, because we are dealing with the manufacturers, producers, dealers, traders, businessmen and even the addicts. Therefore, we have to take up many programmes to tackle the problem. I urge the Government, particularly the Finance Ministry and personally the Finance Minister for providing more funds to take up such programmes of awareness, education and counselling of the masses.

Sir, I would like to refer to the points made by some Hon. Members who have mentioned that Manipur is a centre for trafficking in narcotic drugs. An Hon. Member has even mentioned to the extent that 80 per cent of the population in Manipur has become addict. But I have to correct that it is not to that extent, although there is an apprehension in the minds of the people. If timely actions had not been taken by the government, by the social workers and by other agencies, it could have been to that extent, but now it is being looked after by the Government very actively. And we have also organised clubs, organisations and the social workers and we have even informed other institutions like schools, colleges etc. so that this menace can be overcome in Manipur.

As a matter of fact, parts of Manipur which border Myanmar and other countries are vulnerable to drug trafficking, particularly in the area of Morch which is known as a smugglers paradise. The drug traffickers mostly operate there. So, we have to take strong measures there so that it can be stopped at that point.

It might be paradoxical to learn that in Manipur, even outlawed and insurgent organisations help in such a manner that they identify those traffickers and they give warning to them that they should avoid drug trafficking within a certain period of time failing which the traffickers are shot dead even in public. Hon. members of the House might have learnt from newspapers that businessmen who are indulging in this trafficking are often shot at in their own shops. Officers who indulge in this traffic are shot dead in public in their own offices. In a sense, the people have sympathy with these insurgent elements.

I would like to say that these traffickers resort to this profession because of their frustration and disappointment caused by unemployment. So, we have to take up rehabilitation programmes for the traffickers released from detention to enable them to lead their lives comfortably.

I. Therefore, request the Hon. Finance Minister to allot more funds to the State of Manipur because the State is now undergoing financial difficulties.

I would like to say that efforts to prevent drug trafficking would be successful if only we implement the Act in a spirit of service to the nation. Only then the programme will be successful.

[Translation]

SHRI RAM NIHOR RAI (ROBERTS-GANJ): Mr. Chairman, Sir, I support this Bill and my Hon. friend, Shri Nitish Kumar. Narcotic drugs are dangerous for the whole world. There is hardly any country where narcotic drugs are used as much as it is in India. It is said that India is a poor country. On the one hand the government enacts laws to check the use of narcotic drugs, but on the other hand it gives publicity to their use through radio and T.V. Both these things cannot go hand in hand. We should think over it. Opium is grown in Unnao, Barabanki and Ghajipur, but the farmers do not get remunerative price for their produces. Just now one of my friends said that three kilograms of opium was stolen. The officials have shown that only half kilogram was missing. The officers are after money. Today 85 per cent of Indian people are running after money. They do not want to associate themselves with the society. Our youth and children fall victim of narcotic drugs. One of our friends has rightly said that we can watch the children smoking cigarettes and taking drugs in schools. 'Ganja' and opium are being sold openly. Even the Government is issuing licences for this. The Government only wants to make money. It does not think about the younger generation who are the future of the country. The voluntary organisations should go to people and make them aware of drug abuse. Consumption of narcotic drugs could be checked. Smugglers outwit the laws. When a legislation is made to check drug trafficking, the smugglers display their money power to nullify the law. Legislation is not enough. Even the high officials and our leaders belonging to any party you may say, also consume drugs. In the circumstances, will they be able to give any guidance to us? We should take steps for the development of the coming generation. We all come from villages and live in this country and society. Please constitute a committee and vest powers with the committee. Our elderly people who do not consume drugs should be taken as members of this committee. Only then this country can be reformed. With these words, I thank you.

[English]

SHRI A. CHARLES (TRIVANDRUM): Mr. Chairman, Sir, I rise to support the Prevention of Illicit Traffic in Narcotic Drugs and psychotropic Substances (Amendment) Bill, 1993. The main objection raised by the Members on the other side is that an Ordinance has been prom-

ulgated. They opined that without promulgating an Ordinance, straightaway the Bill could have been passed and I do share the concern of the members on the other side and I agree that ordinance, as a matter of fact, shall be used only sparingly. In this context, I would like to request the Hon. Members of this House on both sides and ask: Are we not responsible, to a large extent, if the items in the agenda are not finished everyday? Everyday, instead of urgent items in the agenda, most of the valuable time of this House is taken away by unlisted business and comparatively non-issues which are neither relevant to the nation nor are they relevant to the common man. So, I would plead that some sort of a study, soul-searching may be made so that important items can be given priority so that our business can be conducted in a more meaningful manner which will have some bearing on the life of the people.

Coming to the Bill, everybody is unanimously of the view that there have been indiscriminate smuggling of Narcotic drugs from many of the border States especially the vulnerable areas. There is a long list. I am not going to read it because India on three sides is surrounded by ocean and on the other side it is open to the border states to that the possibility of illicit trafficking is very high in this country. This has really created a great problem and the ill-effects of these drugs are now damaging the lives of thousands of youths including school children. One study has revealed that even the very dangerous HIV Infection is more in the drug-prone area because the same needles or syringes, without using the disposable syringes, are being used by drug addicts. In a way, that also leads to high presence of HIV infection in that area. This is a very serious thing which has to be given a serious thought.

Some of the statistics show that even in 1972 about 75000 kilograms of narcotic and psychotropic substances have been seized and about 10000 persons have been arrested. But it is a pity that very few guilty people have been really convicted. And I am afraid, the main reason being the Section 36(a) which reads as follows:

"Notwithstanding anything contained in the Code of Criminal Procedure, all offences in this Act shall be triable only by the special courts constituted for the area in which the offence has been committed."

I want to know how many such special courts have been now constituted and what is the pen-

gency of cases? There are lot of loopholes in conducting the cases. I know specifically cases where the officers who are to take action, they have some sort of a collusion with the drug-traffickers. So, the real result of this legislation is not being achieved. I request that a study may be conducted as to how many are really convicted, how many are escaping because either of loopholes or of the connivance of the officers who are responsible to enforce the law.

This Bill is now passed to give validity for extension of time for three more years under Section 10.

(Interruptions)

SHRI NITISH KUMAR (BARH): But Kerala is not affected.

SHRI A. CHARLES: Even in Trivandrum, this is available in every form even in the precincts of schools and colleges. This is a very serious thing which is available in the form of chewing-gum, in the form of chocolates, in the form of bidis and even in the form of cigarettes. This is available around schools, around colleges and teen-agers are attracted by that. And the small traders are making profit of out this. All over the country, this is a very serious threat and I request that very serious action should be taken against them.

Sir, I have some other points also to say but because of the time constraints, I am finally concluding.

Sir, whatever legislation you make, whatever decisions you take, it will become fruitful only with the active cooperation of the people. It should be made a people's movement. The voluntary organizations should be encouraged and their assistance should be sought for. In Trivandrum I know of a wonderful organization called "Abhaya", conducted by a very committed environmentalist and social worker. Prof. Sugadha Kumari. It is one of the finest institutions in Trivandrum. I know that hundreds and hundreds of drug addicts are being benefitted from this organization and they and their family members have got a new life because of it. So, I request that such institutions should be started all over the country and the Government should encourage the voluntary agencies who would work among the drug addicts so that this menace will not be continued and the society shall be cleaned with the enlightened programmes of such organizations creating an awareness among the people. Then only this menace could be totally removed.

16.47 hrs.

(Mr. Speaker in Chair)

So, I support the legislation with a request not to stop with this legislation but to try to create an atmosphere where people become more conscious about the bad affects of this. I am concluding, Sir.

MR. SPEAKER: Shri Charles, do you know why I have specifically come from my Chamber? This Bill is meant for just extending the time.

SHRI A. CHARLES: Sir, with these words I conclude my speech and I support the Bill.

(Translation)

SHRI GIRDHARI LAL BHARGAVA (JAIPUR): Mr. Speaker, Sir, the smuggling of narcotic drugs in this country is a very dangerous thing. Consumption of narcotic drugs has caused a serious problem, especially for the children.

MR. SPEAKER: Bhargavaji, I have specially come to inform you about the Bill. This Bill has been brought here for extension of its validity period. If we start discussing its shortcomings, four days time will fall short.

[English]

We have other Bills to pass.

[Translation]

SHRI GIRDHARI LAL BHARGAVA: Mr. Speaker, Sir, I shall conclude in two minutes.

Sir, I would like to submit that the problem of drug addiction is continuously increasing and the Government is not able to understand it. The Government has not conducted any survey to analyse the number of youth which have fallen victim to this addiction. Lakhs of rupees are spent on this every year and distributed but there is among the dear near ones of the officials. According to my information about ten lakh youth are heroin addicts. Among them about two lakh live in Delhi. Smuggling of narcotic drugs worth Rs. 45,000 crore takes place in this country, but the Narcotic Control Bureau, the Customs Department and Anti Smuggling department have not been able to check this smuggling. Only ten per cent of them are nabbed. Today about 90 lakh tonnes of refined heroin enter Manipur from Myanmar (Burma). Manipur has become the AIDS capital of the country. 1734 persons are suffering from AIDS

in Manipur. 90 per cent of them consume heroin. The Government should think over it.

I would like to say something about Rajasthan where opium is grown. Opium enters Rajasthan from Madhya Pradesh, Uttar Pradesh. In the same way opium enters Rajasthan from Tamilnadu, Punjab and Bombay. The Government should think over it also. My submission is that the youth of this country openly take drugs. They fall victims to all these things and I think it is a very dangerous phenomenon. This Act was passed in 1985 and now more than seven years have passed since then, but the Government has not made any endeavour to enforce it effectively. What I mean to say is that the special courts which were to be set up for the disposal of such cases have not yet been set up. A number of such cases are proceeding in the Courts but the Government has not stated as to how many persons have been convicted for this so far. The intention with which this Bill has been brought forward by the Government is good but I would like to submit that mere extension of the provisions of the Act will not serve any purpose. The State Governments will have to implement it effectively. I think the Government would definitely consider my suggestions.

Mr Speaker, Sir, I am thankful to you for giving me time to speak.

[English]

THE MINISTER OF FINANCE (SHRI MANMOHAN SINGH): Mr. Speaker Sir, I am grateful to all the Hon. Members who have taken part in the debate. I find there is almost complete unanimity in the House with regard to the extension of the provisions of Section 10 of the Act for another period of three years.

One general issue which several Hon. Members have raised was relating to the need for issuing an ordinance. The issuing of an ordinance became necessary because of heavy legislative work that we had in the Budget Session and there was also uncertainty that if we had come forward with the Bill whether it could be passed by 31st of July in the current Session of Parliament. If we had not done that, this provision would have lapsed and in our view the situation on the ground is so serious that we could not afford this lapse. But I do agree with all the Hon. Members that it is necessary to do sufficient anticipatory planning in order to ensure that the need for issuing of ordinances does not arise.

I should also like to mention that this particular legislation deals with a limited subject, that is the need to provide for preventive detention. There is a substantive law which is the Narcotic Drugs and Psychotropic Substances Act, 1985, which provides for more severe punishment for offences — a minimum period of ten years — and there is drastic punishment if the same person is found repeating the crime again.

I would like to say that what we are dealing with is a grave menace; that it is a multidimensional problem; and that legal measures must be there on the statute book. I agree with all the Hon. Members that these need to be enforced. International public opinion has certified that of most developing countries, India has by far the most efficient administration for policing this problem. But I do agree with Hon. Members that we cannot be satisfied with the status quo. The magnitude of the problem is enormous, sandwiched as our country is between the countries of the golden triangle on the one hand and the golden crescent on the other. So, I am not saying that what we are doing is enough; we will have to improve our administrative measures; we will have to improve the technology of work available to the preventive organisations; we will have to strengthen co-ordination between the Centre and the States, between the various agencies and the Central Government. I can assure the House that these matters are under active consideration of our Government.

Several Hon. Members have raised the issues as to whether we have some special courts for speedy trial of offences. I should like to inform them that, at the moment, there are 30 special courts and more are under formation in the State of Maharashtra. But I do accept the view that we must bring the offenders speedily to book. Whatever is necessary in this regard, we shall be alert in this matter.

Some Members have raised the problem of the prices that we pay to the cultivators of poppy in our country. Quite honestly, we cannot pay to the cultivators the type of prices or the amount of money that those who indulged in the illicit traffic in drugs can pay. We are in the business of licit export of opium. I would like to share with the House that the demand for opium worldwide is limited. Therefore, we cannot afford the area under the cultivation of poppy to be increasing when the world demand for licit opium is limited. It is for this reason that it is

necessary to gradually reduce the area under cultivation and to find alternative ways of helping the farmers so that they do get adequate income. But we cannot afford to pay them prices which can be paid by those who indulge in illicit trade in narcotics. Since we can pay what we earn through legitimate export earnings, there are limitations to pay higher prices.

I would also like to say that bulk of the problem in India is essentially the transit traffic. But it is also a fact that a certain amount of opium must be leaking from the system. There is a need to strengthen administrative measures. All these matters are under active consideration of our Government.

With regard to the problem of the North-Eastern States, I share the concern of several Hon. Members that drug addiction is growing. We need international co-operation. For that matter, recently, our Government has entered into an agreement with the Government of Myanmar to have a joint system whereby we will be able to police this traffic, take effective measures to control this menace.

As I said, we are dealing with a multi-dimensional problem. In the final analysis, laws are necessary. But they are not sufficient for controlling this menace. We need social awareness. We need more active involvement of all members of the community. Government must be alert and active. It is not only the Ministry of Finance but also Ministry of Health and the Ministry of Welfare which are actively involved in this area. Particularly with regard to growing social awareness, the Ministry of Welfare has an important responsibility.

Similarly, with regard to treatment and rehabilitation of the drug-addicts, the Ministry of Health and the Ministry of Welfare have an important responsibility. I can inform the Hon. Members that, at the moment, several voluntary organisations are working to rehabilitate those who have gone astray. But I do agree that we are dealing with a problem which is enormous. And a lot more needs to be done. I can assure the House that our Government will remain alert and alive to the needs of the situation in this area.

With these words, I request all the Hon. Members to support the Bill and the Resolution that had been moved. I request that statutory Resolution may not be pressed.

17.00 hrs.

[Translation]

SHRI NITISH KUMAR : Mr. Speaker, Sir, he has not requested for the withdrawal of the Resolution. Sir, since you have come, I will be brief in my speech.

[English]

SHRI MANMOHAN SINGH : I said that (Interruptions) I ended with those words (Interruptions).

[Translation]

MR. SPEAKER : You can take time to speak on relevant issues only and do not digress from them.

SHRI NITISH KUMAR : All issues have been covered and the Hon. Minister has given their replies. In my earlier speech I have pointed out that the Narcotic Control Bureau do not have adequate manpower to check the illicit traffic spreading over the length and breadth of the country we have north-east border with Myanmar. Besides vast coastal areas, we have borders with Nepal, Pakistan and Bangladesh. There is danger from all the sides. The inadequate manpower of the agency has made it totally incapable of checking illicit traffic. A total transaction of 3000 crores took place but the Government could seize the material worth Rs. 6 crores only. There is no effective control over it. It has been stated in the Economic Times dated 19th July that :

[English]

"The involvement of politicians, police officers, army and para-military forces posted in the region is well known.

To a child in Manipur, 'Number Four' is not only a numeral but something more. It is the colloquial for Burmese heroin processed to 90 per cent purity and is responsible for turning Manipur into the AIDS capital of India.

Ninety per cent of 1,734 HIV positive persons in Manipur are heroin addicts and contracted it while sharing the same needle with another addict."

[Translation]

The situation is horrible there and the number of drug addicts is constantly increasing. If a syringe used for AIDS patient is injected to other person the AIDS virus can be transmitted

to him. The Hon. Member talked about international co-operation. I do not think that the Enforcement agency is capable of controlling the menace. The limited objective of your Bill is to extend the existing preventive detention period of three years. Stringent measures should be taken to enforce the Act enacted in 1985, people who indulge in smuggling of narcotic drugs should be firmly dealt with and their properties attached. If any stringent provision needs to be incorporated in the Act, the Government should not hesitate to bring that. This trade is going on in Pakistan and these people have tightened their grip over politics. We have been witnessing deterioration in our politics and criminalisation of politics is increasing. Smugglers are entering politics. They have money power and they are tightening their grip from all sides. Its consequences would be dangerous for the country. It happened in Pakistan and they are passing through a period of instability. I do not know as to why Shri Manmohan Singhji is keeping quiet. There is an article in Sunday in which it has been stated that he could be an ideal Prime Minister. The World Bank is also expecting so. It is possible that some people want to aggravate this problem so that on this issue they may get support all over the country. It is very dangerous. I oppose the idea that there should not be capital punishment. I think death sentence should be given in such cases. . . (Interruptions) This country cannot be saved. Small children are being used for this purpose. They are transporting hereon from one place to other in postal mails. You do not know as to what your child is carrying in his tiffin. Therefore, the Government should give utmost priority to find out a solution to this complex problem. I would like to support the Bill wholeheartedly but the Hon. Minister has not asked for the withdrawal of the Resolution and that is why I am not withdrawing it.

MR. SPEAKER: We are under the impression that you intend to withdraw the Resolution.

SHRI NITISH KUMAR: If the Hon. Minister gets up and says so, I will withdraw the Resolution.

[English]

SHRI MANMOHAN SINGH: I request the Hon. Member not to press his Resolution.

SHRI NITISH KUMAR: I seek leave of the House to withdraw my Resolution.

MR. SPEAKER: Has the Hon. Member leave of the House to withdraw his Resolution?

SEVERAL HON. MEMBERS: Yes.

The Resolution, by leave, was withdrawn.

MR. SPEAKER: The question is:

"That the Bill further to amend the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988, as passed by Rajya Sabha, be taken into consideration."

The Motion was adopted.

MR. SPEAKER: The House will now take up Clause-by-Clause consideration of the bill.

The question is:

"Clauses 2 and 3 stand part of the Bill"

The motion was adopted

Clauses 2 and 3 were added to the Bill

MR. SPEAKER: The question is:

"That Clause 1, the Enacting formula and the long title stand part of The Bill"

The Motion was adopted.

Clause 1, the Enacting formula and the title were added to the Bill"

SHRI MANMOHAN SINGH: I beg to move:

"That the Bill be passed"

MR. SPEAKER: The question is:

"That the Bill be passed"

The Motion was adopted.

MR. SPEAKER: We Will now take up further consideration of the Review of Drug Policy, 1986. Shri Sharvan Kumar Patel, we have only 41 minutes left for this discussion within which the Minister also has to reply.

17.07 hrs.

MOTION RE: REVIEW OF DRUG POLICY—Contd.

[English]

SHRI SHRAVAN KUMAR PATEL (Jabalpur): Sir, on the Drug Policy, views have been expressed that with the new liberalisation, the Government's concern should be to ensure