



REPORT NO.

80

PARLIAMENT OF INDIA

**RAJYA SABHA**

DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE  
ON HEALTH AND FAMILY WELFARE

**EIGHTIETH REPORT**

On

**THE FOOD SAFETY AND STANDARDS  
(AMENDMENT) BILL, 2014**  
(Ministry of Health and Family Welfare)

*(Presented to the Rajya Sabha on 28<sup>th</sup> November, 2014)*  
*(Laid on the Table of Lok Sabha on 28<sup>th</sup> November, 2014)*



Rajya Sabha Secretariat, New Delhi

NOVEMBER, 2014/ AGRAHAYANA, 1936 (SAKA)



PARLIAMENT OF INDIA

**RAJYA SABHA**

DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE  
ON HEALTH AND FAMILY WELFARE

**EIGHTIETH REPORT**

On

**THE FOOD SAFETY AND STANDARDS (AMENEDMENT) BILL,  
2014**

(Ministry of Health and Family Welfare)

*(Presented to the Rajya Sabha on 28<sup>th</sup> November, 2014)*

*(Laid on the Table of Lok Sabha on 28<sup>th</sup> November, 2014)*



Rajya Sabha Secretariat, New Delhi

NOVEMBER, 2014/ AGRAHAYANA, 1936 (SAKA)

# CONTENTS

	PAGES
1. COMPOSITION OF THE COMMITTEE-----	(i)-(ii)
2. PREFACE-----	(iii)
3. ACRONYMS-----	(iv)
4. REPORT-----	1-
*5. OBSERVATIONS/RECOMMENDATIONS AT A GLANCE-----	
*6. MINUTES-----	
ANNEXURES.....	
(i) Annexure I-----	
*7. LIST OF REPORTS PRESENTED EARLIER-----	

---

\* To be appended at printing stage

## COMPOSITION OF THE COMMITTEE

(2013-14)

### RAJYA SABHA

1. Shri Brajesh Pathak - **Chairman**
2. Shri Rajkumar Dhoot
3. Shrimati B. Jayashree
4. Shri Mohd. Ali Khan
5. Dr. Prabhakar Kore
6. Dr. R. Lakshmanan
- \* 7. Shri Rasheed Masood
8. Shri Jagat Prakash Nadda
9. Dr. Vijaylaxmi Sadho
10. Shri Arvind Kumar Singh

### LOK SABHA

11. Shri Kirti Azad
12. Shri Mohd. Azharuddin
13. Shrimati Sarika Devendra Singh Baghel
14. Shri Kuvarjibhai M. Bavalia
15. Shrimati Priya Dutt
16. Dr. Sucharu Ranjan Haldar
17. Mohd. Asrarul Haque
18. Dr. Monazir Hassan
19. Dr. Sanjay Jaiswal
20. Shri Chowdhury Mohan Jatua
21. Dr. Tarun Mandal
22. Shri Mahabal Mishra
23. Shri Zafar Ali Naqvi
24. Shrimati Jayshreeben Patel
25. Shri Harin Pathak
26. Shri Ramkishun
27. Dr. Anup Kumar Saha
28. Dr. Arvind Kumar Sharma
29. Dr. Raghuvansh Prasad Singh
30. Shri P.T. Thomas
31. Vacant

### SECRETARIAT

Shri P.P.K. Ramacharyulu	Joint Secretary
Shri R. B. Gupta	Director
Shrimati Arpana Mendiratta	Joint Director
Shri Dinesh Singh	Deputy Director
Shri Pratap Shenoy	Committee Officer

---

\* vacant vide disqualification as a member of the Council of States (Rajya Sabha) w.e.f. 19<sup>th</sup> September, 2013.

**COMPOSITION OF THE COMMITTEE**

(2014-15)

1. Shri Satish Chandra Misra - **Chairman**

**RAJYA SABHA**

2. Shri Ranjib Biswal  
3. Shri Rajkumar Dhoot  
4. Shri Vijay Goel  
5. Shrimati B. Jayashree  
6. Dr. R. Lakshmanan  
7. Shrimati Kahkashan Perween  
8. Dr. Vijaylaxmi Sadho  
9. Chaudhary Munvvar Saleem  
10. Dr. T.N. Seema

**LOK SABHA**

11. Shri Thangso Baite  
12. Dr. Subhash Bhamre  
13. Shri Nandkumar Singh Chouhan (Nandu Bhaiya)  
14. Dr. Ratna De (Nag)  
15. Dr. Heena Vijaykumar Gavit  
16. Dr. Sanjay Jaiswal  
17. Dr. K. Kamaraj  
18. Shri Arjunlal Meena  
19. Shri J. J.T. Natterjee  
20. Shri Chirag Paswan  
21. Shri M.K. Raghavan  
22. Dr. Manoj Rajoriya  
23. Shri Alok Sanjar  
#24. Dr. Mahesh Sharma  
25. Dr. Shrikant Eknath Shinde  
26. Shri Raj Kumar Singh  
27. Shri Kanwar Singh Tanwar  
28. Shrimati Rita Tarai  
29. Shri Manohar Untwal  
30. Shri Akshay Yadav  
31. Vacant

**SECRETARIAT**

Shri P.P.K. Ramacharyulu	Joint Secretary
Shri R. B. Gupta	Director
Shrimati Arpana Mendiratta	Joint Director
Shri Dinesh Singh	Deputy Director
Shri Pratap Shenoy	Committee Officer

---

# ceased to be member of the Committee w.e.f 9<sup>th</sup> November, 2014.

## PREFACE

I, the Chairman of the Department-related Parliamentary Standing Committee on Health and Family Welfare, having been authorized by the Committee to present the Report on its behalf, present this Eightieth Report of the Committee on the Food Safety and Standards (Amendment) Bill, 2014\*.

2. In pursuance of Rule 270 of the Rules of Procedure and Conduct of Business in the Council of States relating to the Department-related Parliamentary Standing Committees, the Chairman, Rajya Sabha, referred\*\* the Food Safety and Standards (Amendment) Bill, 2014 ( **Annexure I**) to the Committee on the 24<sup>th</sup> February, 2014, as introduced in the Rajya Sabha on the 19<sup>th</sup> February, 2014 for examination and report within two months. However, the previous Committee could not consider the Bill and present its Report due to dissolution of the 15<sup>th</sup> Lok Sabha. Subsequently Hon'ble Chairman granted extended time for presentation of Report on the Bill upto 5<sup>th</sup> December, 2014.

3. The Committee held five sittings during the course of examination of the Bill, i.e., on 10<sup>th</sup>, 18<sup>th</sup>, & 25<sup>th</sup> September and 19<sup>th</sup> & 27<sup>th</sup> November, 2014.

4. The Committee considered the draft Report and adopted the same on 27<sup>th</sup> November, 2014.

NEW DELHI;  
27<sup>th</sup> November, 2014  
Agrahayana 6 , 1936 (Saka)

SATISH CHANDRA MISRA  
*Chairman,*  
**Department-related Parliamentary Standing  
Committee on Health and Family Welfare**

---

\* Published in Gazette of India Extraordinary Part II Section 2, dated 19<sup>th</sup> February, 2014.

\*\* Rajya Sabha Parliamentary Bulletin Part II, No.51823, dated 26<sup>th</sup> February, 2014.

## ACRONYMS

FSS Act- Food Safety and Standards Act

## REPORT

The Food Safety and Standards (Amendment) Bill, 2014 (hereinafter referred to as the Bill) was introduced in the Rajya Sabha on the 19<sup>th</sup> February, 2014 and referred to the Department related Parliamentary Standing Committee on Health and Family Welfare on the 24<sup>th</sup> February, 2014 for examination and report thereon.

2. As per the information furnished by the Ministry of Health and Family Welfare on the Bill, the Parliament enacted the Food Safety and Standards Act, 2006 (FSS Act) to consolidate the laws relating to food in the country, to lay down science-based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import. In pursuance to the same, the Food Safety and Standards Authority of India (Food Authority) was established in 2008. The Bill seeks to amend sections 5 and 92 of the Food Safety and Standards (FSS) Act, 2006 (34 of 2006) and to insert a new section, 'section 7A', to tide over the difficulties, affecting the overall functioning and implementation of various provisions of the Food Safety and Standards Act, and to delineate clearly the roles of the Chairperson, and the Chief Executive Officer of the authority for its smooth functioning. It will also help in faster notification of standards of food products.

3. According to the Statement of Objects and Reasons (SOR), the Bill, proposes to: include the Chief Executive Officer in the composition of the Food Safety and Standards Authority of India; amend sub-section (1) of section 5 of FSS Act so as to provide that the provision regarding one-third members being women, shall be applicable to the members referred to in clauses (b), (c), (d), (f) and (g) of sub-section (1) of section 5 of the said Act; insert section 7A in the said Act to address the need for continuity of policies, enabling the Chairperson to guide the affairs of the Authority; amend Section 92 empowering the Authority to make regulations by



notification with the previous approval of the Central Government and after previous publication by empowering the Central Government to dispense with the condition of previous publication in certain cases, in the public interest.

4. However, the said Bill could not be taken up for examination due to preoccupation of the Members of the previous Committee in the General Elections for the Sixteenth Lok Sabha and subsequent dissolution of the Committee. After the reconstitution of the Committee, the Hon'ble Chairman, Rajya Sabha had granted extension for a period of two months i.e. upto 31<sup>st</sup> October, 2014 and another extension upto 5<sup>th</sup> December, 2014 for examination and report on the Bill.

5. In the meeting of Committee held on 18<sup>th</sup> September, 2014, the Secretary, Department of Health and Family Welfare while giving presentation on the Bill informed that subsequent to introduction of the Amendment Bill, the Lucknow Bench of Allahabad High Court in the W.P.(C) No. 1717 (MB) of 2013 and the Supreme Court of India in Petition(C) No. 159/2012 directed the Government to bring appropriate amendments in the Act to deal with the food adulteration sternly. Accordingly, a note was being placed before the Cabinet for pursuing the Bill in its present form or otherwise. Thereafter, Members raised issues of reported incidents of rampant adulteration in food items highlighting the issues of unregulated sale of packaged water; adulterated milk and milk products; contents of fertilizers/pesticides/insecticides in food grains/vegetables/ fruits and impressed upon the Department to take measures to check and curb such rampant food adulteration in the food items in the country.

6. Subsequently, the Department vide its communication dated 25<sup>th</sup> September, 2014 informed that the Minister had approved the proposal

for withdrawal of the Bill and it would be placed before the Cabinet for consideration/approval. The Committee in its meeting held on 25<sup>th</sup> September, 2014 considered the proposal of the Ministry and felt that no useful purpose would be served pursuing the Bill if the Bill was to be withdrawn. The Committee, therefore, decided not to pursue the Bill till a final decision is taken by the Cabinet as to whether the Government would pursue the Bill or not.

7. The Department of Health and Family Welfare vide its communication dated 13<sup>th</sup> November, 2014 submitted before the Committee as follows:

*“the Cabinet in its meeting held on 05.11.2014 approved the proposal of the Department of Health and Family Welfare for withdrawing the Food Safety and Standards (Amendment) Bill, 2014 and a formal communication for withdrawal of the Bill will be sent in due course of time.”*

8. The Chairman of the Committee conveyed the contents of the communication to Members of the Committee in its meeting held on 19<sup>th</sup> November 2014. In view of the Cabinet’s decision for withdrawal of the Bill, the Committee decided not to pursue the Bill.

**9. In view of the decision of the Cabinet to withdraw the Bill, the Committee observes that no useful purpose will be served in examining the Bill. The Committee, has therefore, decided not to pursue the Bill. The Committee also observes that immediate measures are required to be taken to deal with incidents of rampant adulteration in food items in the country and impresses upon the Government to give more teeth to the Food Safety and Standards Act, 2006 and the Food Authority to tackle these incidents. The Committee therefore recommends that Government may re-look into all aspects and bring a comprehensive Bill at the earliest.**

