

# Delhi's Food: *How Safe?*

## Department of Prevention of Food Adulteration

Kumar Gaurav and Mayank Singhal

### Introduction

How many times you worry about the quality of food you consume, probably, only when you relish the food on the roadside stalls. But what when you take your daily provisions from a ration store or enjoy a sumptuous meal at a restaurant. You do not even think about safety. One takes it for granted that the foods available there are safe. Why not! Delhi has the Directorate of Prevention of Food Adulteration, which ensures the quality in food. The department deals with a thing, which is close to everybody's heart i.e., food. And indirectly our health is related to the efficient functioning of the department. The department caught the limelight in August 1998, albeit for wrong reasons due to the outbreak of the Dropsy epidemic. The Comptroller and Auditor General (CAG) indicted the Prevention of Food Adulteration (PFA) department of Delhi government for laxity in sampling and examination of adulterated mustard oil which resulted in 66 deaths and hospitalisation of 2,556 others.

How does the department function? Has it changed after 1998, in the wake of Dropsy outbreak? Who is to be blamed for that? This paper tries to find some answers to questions, which crop up in our mind, whenever the name of the PFA Department flashes.

### The Department

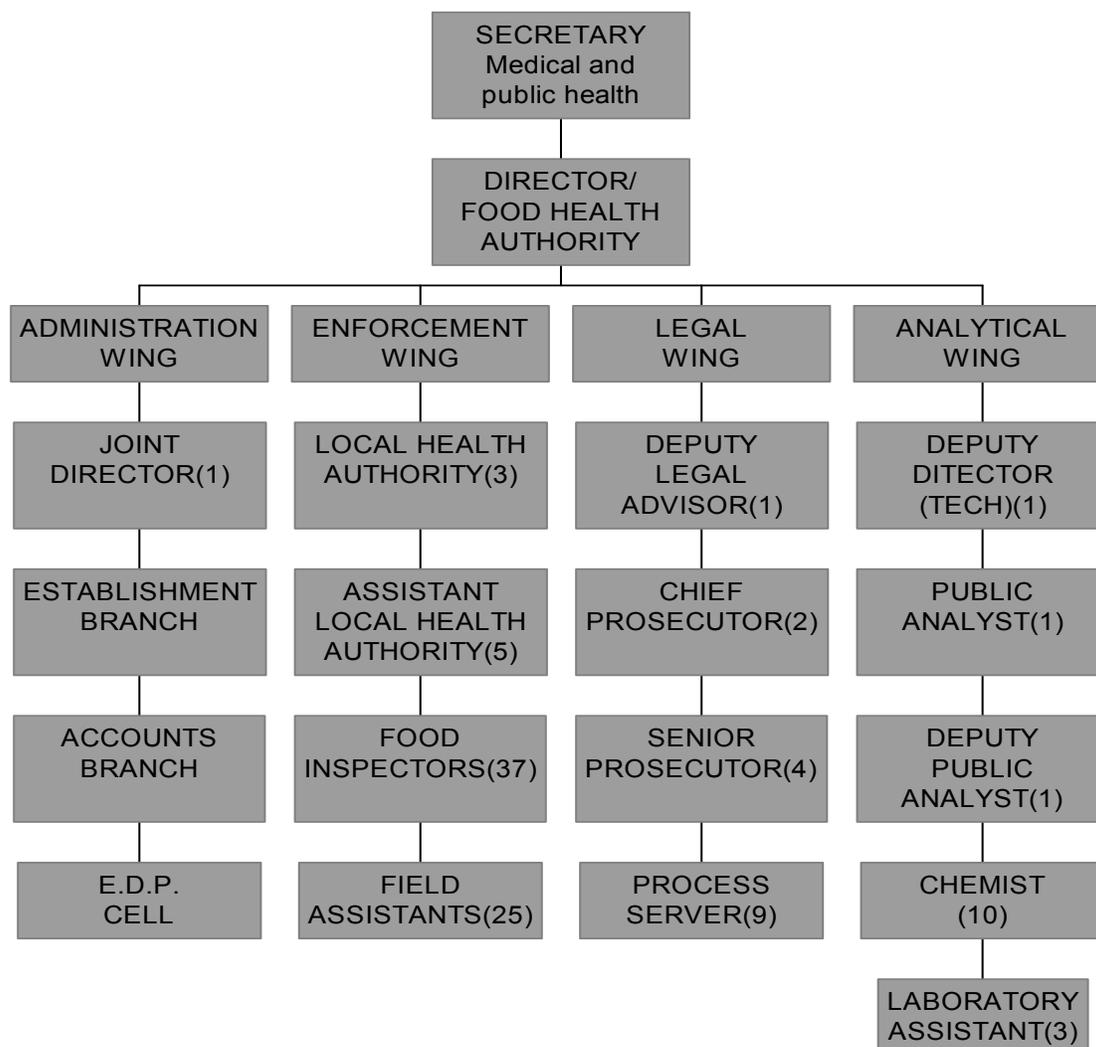
The Directorate of Prevention of Food Adulteration was set up in the year 1977 for effective implementation of the Prevention Of Food Adulteration Act, 1954 and PFA Rules, 1955. Prior to this, the responsibility of implementing the act was entrusted with the local bodies i.e. Municipal Corporation of Delhi, New Delhi Municipal Committee and Delhi Cantonment Board. The Department works to ensure that pure and hygienic food is made available to the population of Delhi. Following are the main objectives of the department:<sup>1</sup>

1. to ensure that the consumers get unadulterated food items
2. to protect the consumers from fraudulent trade practices and
3. to provide necessary guidance to manufacturers and dealers in food articles

The PFA Department was expected to achieve these objectives through maintenance of quality, safety and hygiene conditions through strict implementation of licensing provisions of the act, adequate surveillance of food outlets and by imparting consumer education and creation of awareness. The PFA Department of Government of NCT of Delhi, which is under the secretary (Medical and Public Health), is headed by a director who is an IAS rank officer. The organisational structure of the department is as under:

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<sup>1</sup> CAG Report on Government of NCT of Delhi of 2002, p. 65.



The figures in brackets are the sanctioned strength. The Directorate of Prosecution of Delhi government appoints the prosecutors of the PFA Department. Once appointed, they become a part of the Department and their salaries are paid from the PFA Department. In addition to the Departmental Local Health Authorities (LHAs), the Lieutenant Governor of NCT of Delhi in August 1998 appointed 27 Sub-Divisional Magistrates (SDMs) of government of NCT of Delhi, as LHA for the purpose of PFA Act. From December 1998, the SDMs were given the discretion of lifting the samples from any part of the area under their jurisdiction.

### Other Activities of the Department

Besides lifting samples, carrying out analysis of the food supplies in the food laboratories and prosecuting the offenders, the department is engaged in other activities also i.e., Demonstration cum education programmes, awareness creation programmes and participation in health melas etc. Emphasis is laid on awareness creation amongst people with regard to food adulteration.

## The Prevention Of Food Adulteration Act, 1954(PFA Act)

Adulteration is covered by the Item 18, of the Concurrent list (list 3) in the Seventh Schedule of the Constitution of India, 1950. In 1954, Central Government enacted the Prevention of Food Adulteration Act with the objectives of eradicating the menace of food adulteration and to make available pure and wholesome food to the consumers. The Act came into force on 1 June 1955, as the Prevention of Food Adulteration Act, 1954. The Act has been enacted to bring about a single uniform legislation applicable to all the states and for regulating the law as far as to prevent the adulteration of foodstuffs that affect the people and their health. These rules are applicable throughout India, subject to certain amendments, which are effected by the state governments in their application to their respective territories. The implementation of the law on food adulteration is the responsibility of the state administration. Based on the experiences of the Act from time to time, various provisions of the act were amended in the year 1964, 1976, and 1986. These amendments have been aimed at severely punishing the offenders and giving powers to the voluntary consumer organisations with regard to prevention of food adulteration in our country. Food adulteration, as defined by the Act includes not only the intentional addition, substitution or abstraction of substances which adversely affects the nature, substances, quality of foods but also their incidental contamination during storage, processing, transportation and distribution.

Food adulteration is punishable under the PFA Act, 1954. Under the provision of the PFA Act, the minimum punishment is six months imprisonment with a fine of Rs 1,000, which may extend upto life imprisonment with unspecified amount of fine depending upon the gravity of the offence.

S No	Nature of Adulterant	Punishment
1.	Non-injurious	Imprisonment of six months which can be extended to three years and a minimum fine of Rs 1,000
2.	Injurious	Imprisonment of one year which can be extended to six years and a minimum fine of Rs 2,000
3.	Death or harm to body	Imprisonment of three years which can be extended to Life imprisonment with minimum fine of Rs. 5,000

Thus, the main function of the department is to successfully implement the provisions of PFA Act 1954. Under Section 24 of the PFA Act, the state governments may make rules for the purpose of giving effect to the provisions of this Act. In Delhi, the Delhi Prevention of Food Adulteration Rules, 2002 have been enforced with effect from 10 April 2002.

## Implementation of the Act

Various steps involved in inspection and follow-up action are:

### Step 1

The food inspectors under the supervision of the SDM go to the field and collect samples at random and also on complaints from various food article outlets. The samples are collected at random, but the following factors are taken into account:

- a. Consumer complaints
- b. Seasonal factors
- c. General factors like the area, demand of a product etc.

The food inspector gives a notice in writing to the seller, informing him of his intentions to have the sample analysed and takes his signature on the form.

**Step 2**

Every sample is divided into three counterparts and each counterpart is properly sealed, marked and fastened as per the law and bears the slip of the LHA/SDM bearing his signature and code number.

**Step 3**

One counterpart of the sample is supposed to be sent for the analysis to the public analyst by the next working day. The public analyst sends the analysis report within 40 days from the receipt of the sample to the concerned local authority.

**Step 4**

If the sample is found genuine and LHA is satisfied with the report of public analyst, intimation is sent to the person from where the sample was lifted. If the LHA is dissatisfied with the report, he may send the second counterpart of the sample to another public analyst.

**Step 5**

If the sample is found adulterated, then the LHA asks the food inspectors to investigate the case.

**Step 6**

On completion of the investigation, The Local (Health) Authority asks for the grant of consent from the director for initiating the prosecution.

**Step 7**

On receipt of consent, the LHA institutes the criminal proceedings against the vendor house and the intimation is sent to concerned vendor who may approach the court within a period of 10 days for sending the other counter part to the central food laboratory.

**Step 8**

The court takes the further action in this regard.

Prescribed Time Limits for various steps<sup>2</sup>

Steps	TIME LIMIT
Report of the analysis of sample	40 days
Completion of investigation	90 days
Preparing paper for seeking consent of director after the completion of investigation	7 days
Considering request for grant of consent	7 days
Filing of complaints in the court	7 days

**Evaluation of the Department**

A problem one normally encounters while evaluating the workings of a government department is the choice of parameters. The parameters chosen should satisfy two criteria:

- a. They should be a good reflection of the working of the department.
- b. Data related to parameters chosen should be easily available.

The problem lies actually with the second part. Data collection from a government department is a mammoth task. Most of the data are not only ill maintained but also the concerned officials are reluctant to share even basic information. It requires lot of cajoling and persuasion to get the information only to

<sup>2</sup> Order no. 7/2002 dated September 3,2002, PFA Department

find in the end that it is incomplete. Encountering all these and a host of other problems, I chose the following parameters to evaluate the department:

- The number of samples taken per year
- Number of samples found adulterated
- Number of cases prosecuted
- Number of cases convicted
- Awareness among consumers

Ideally, if the department is functioning well, the number of samples should be increasing with a constant decline in the proportion of the adulterated samples. Let us see what the data says.

Year	No. of samples taken	No. of samples found adulterated	Percentage of adulterated sample
1994-95	1264	103	8.15
1995-96	396	74	18.69
1996-97	693	126	18.18
1997-98	509	70	13.75
1998-99	1623	234	14.42
1999-00 <sup>3</sup>			
2000-01			
2001-02			
2002-03			

Year	No. of cases decided by the courts	No. of cases of convictions	No. of cases of acquittal	No. of cases discharged by the courts based on the CFL Report
1994-95	95	56	32	07
1995-96	90	45	29	16
1996-97	62	35	10	17
1997-98	105	26	39	40
1998-99	115	45	25	45
1999-2000		42	30	
2000-01		48	22	
2001-02		35	03	
2002-03		38	06	

### Market flaunts PFA Rules

Following are a few examples, which show that there are many provisions of PFA Rules, which are being violated openly, and the authorities are doing nothing more than taking a few symbolic actions.

1. Article 42D of PFA Rules, 1955 says that every dealer in ice-cream or mixed ice-cream who sells or offers or exposes for sale, ice-cream or ice-candy shall have his name and address along with the name and address of the manufacturer, if any, legibly and conspicuously displayed on the stall,

<sup>3</sup> The data from 1999-2000 to 2002-03 could not be filled because of the failure of the PFA Department to supply the information despite filing an application under Right to information Act on 26 June 2003.

vehicle or container.<sup>4</sup> Check out when you go out for an ice cream in the night. Leave the lesser-known brands, even the bigger ones do not take care to display the name of the vendor.

2. Article 44AA of PFA Rules, 1955 says that no person shall sell or offer or expose for sale or have in his premises for the purpose of sale under any description, fruits which have been artificially ripened by use of acetylene gas, commonly known as carbide gas.<sup>5</sup> But Delhi shops are flooded with mangoes in the month of March only thanks to these artificial ripeners.
3. Selling ground spices in loose without packaging is again a punishable offence under the PFA Rules, 1955. But the area near Pul Bangash is famous for the vendors who sell spices in loose.
4. Result of the study on the Implementation of National Laws on Packaged Food Products on imported packaged food products available in Delhi markets and its surrounding areas (conducted by Voluntary Organisation In the Interest of Consumer Education (VOICE) in collaboration with Ministry of Agriculture, Department of Food Processing Industries)<sup>6</sup>

Total samples: 457

S.No	Offence	Percentage of samples
1.	Rule 32 of PFA Rules which deals with packaging and labelling of foods	81
2.	Missing additional information like permitted natural/synthetic colours and added flavours	16
3.	Not giving separate declaration of added colour/ flavour in the product	61
4.	No mention of date of expiry	116
5.	No information about the month and year of manufacture	58
6.	No information about the Indian importers	76

## Observations

1. The average number of samples collected is around 800 per year; quite insufficient for Delhi, considering the fact that there are almost 1.5 lac registered food establishments in Delhi (based on Sales Tax Department report 1998-99). A figure of 800 is undoubtedly too small to ensure food safety in the city.
2. The percentage of adulterated food in the total samples collected has shown no perceptible decline.
3. The conviction rates are also quite low and time taking. The average time in completion of a case is almost close to six years. The acquittal rate is quite high and the punishment awarded normally does not match with the time taken in trial procedure. Imagine someone getting a punishment of six months imprisonment after a trial period of seven years and that too is bailable.

Thus, the department has not been able to perform its duty efficiently. The facts admit this and even the officials, albeit in low voices. The reasons are many. But they can be broadly subdivided into four main factors:

<sup>4</sup> The Prevention Of Food Adulteration Act, 1954. New Delhi: Delhi universal law publishing co. Pvt. Ltd, page 50.

<sup>5</sup> The Prevention Of Food Adulteration Act, 1954. New Delhi: Delhi universal law publishing co. Pvt. Ltd, page 60.

<sup>6</sup> <http://www.consumer-voice.org/> accessed on 19 June 2003

- Loopholes in the PFA Act
- Inadequate infrastructure.
- Inefficient work culture
- Lack of consumer awareness

## Loop holes in the Prevention of Food Adulteration Act, 1954

Because of number of loopholes in the act the conviction rates in adulteration cases is less.

Only about ten percent of the prosecutions launched against food adulteration end in convictions. The act as it stands today appears to have not achieved its objective due to increased complexities and lack of successful administrative procedures.

### 1. Provision of nominees

Under the Article 12(B) of PFA Rules, 1955 a company can appoint any person as nominee and it is that person who has to stand trial in the event of adulteration complaint. Often these nominees are poor and employed people who are poorly paid. So, while the nominee is held liable, there can be no case against the manufacturer who can actually be the one responsible for adulteration. In 1984 a case was filed against the famous Kaka Da Hotel for using adulterated spices. The department could not trace the nominee for long. He was finally caught a few years ago. The case still continues and Kaka Da Hotel continues to be a popular eating joint in Connaught Place.

### 2. Procedural hurdles and delays

The rigorous procedure of "sealing, fastening and dispatch " of samples laid down in the PFA Rules frequently kills the prosecution case. Incorrect sampling is therefore a basis for the acquittal of the accused. The Public Analyst has a prescribed time limit (40 days), under PFA for submission of Analysis Report. But there is a considerable time lag between receipt of analysis report from the Public Analyst lab and the final launching of prosecutions. The investigation by the food inspectors itself takes 2-3 (see style sheet regarding usage of dash) years to complete. In addition, the prosecution and trial gets delayed at every stage making the whole process a lengthy affair.

### 3. No provision of black listing or recall of food

There is no provision for recall of food, or public notification unlike the procedures followed in the case of substandard drugs. Under such circumstances, it is obvious that adulterated food will continue to be sold to and consumed by the unwary consumer. The shop or the food establishment continues to function and people do not know about it.

### 4. Rigid law structure

Under PFA Act quality standards of about 300 articles are prescribed. These standards are very rigid and the slightest deviation or non-compliance attracts prosecution though it may not render the food article 'adulterated' or unfit for consumption.

Section 12 of the Act states that any purchaser of food can also send across a sample of food for analysis. The law also states that no one but the public analyst can test the samples, which pre-empts the use of other good laboratories, which may exist elsewhere.

It was found that if the defendant pleads that the food article was not meant for human consumption it could not be said that he was guilty of crime of adulteration. This shows that manufacture and storage of such articles is not prohibited unless they specifically sold or attempted for sale for human consumption.

Section 13(2) of the Act lays down that a vendor will not be held guilty if he has proof that he has

purchased the articles from any manufacturer, distributor or dealer with a written warranty in the prescribed form. This provision makes it easier for the manufacturer to lure the vendors to sell their products.

Thus, the PFA Act has not been kept under constant scrutiny with the result that some of the provisions have become inapplicable with the passage of time and changing circumstances. Also many regulations have come to be enacted with inadequate attention being paid to their relevance or implementation capability. The technical and many loopholes often allow the guilty to go scot-free.

## II. Inadequate infrastructure

The Comptroller and Auditor General (CAG) had indicated in its report for the financial year 198-99 about the poor infrastructure of the department. Commenting on this the report says,

"The infrastructure of the department is too little to cover the estimated establishments, nor has the department made any serious attempts to assess the requirement of infrastructure to ensure proper surveillance and follow up to provide reasonable assurance of adulterated and uncontaminated food vending in Delhi."<sup>7</sup>

The Department is short of labour. With a sanctioned strength of 37 food inspectors, it is nearly impossible to cater to the needs of whole of Delhi. The Planning Department of the Government of NCT OF Delhi had in the draft of tenth five-year plan identified the need for 12 LHAs and 145 food inspectors to ensure effective enforcement of the provisions of PFA Act. In addition, the department also needs additional labour to meet its expansion plans. (Details enclosed in appendix-1).

Against the sanctioned strength also there are positions lying vacant. The department is supposed to have 37 food inspectors but has 33. Against a sanctioned strength of 10 chemists there are only 4. The department is short of even peons and *chowkidars*. While most of the government departments have shifted to private security staff, the process is still in the pipeline for this department.

## III. Inefficiency of the department

Do you know that not a single accused in the dropsy cases of 1998 has been punished till now? Most of them has been released on some ground or the other.

The department has shown a lax attitude in utilising its resources. Commenting on this attitude of the department, CAG Report on the Government of NCT of Delhi of 2000 says, "not only the infrastructure in the department is inadequate, even the existing infrastructure has been performing very poorly. Against the target of 12 samples to be lifted per inspector, each one of the 37 inspectors lifted on an average about 2 samples per month. This reflects an insensitive attitude of the Department to the risk."<sup>8</sup> From the data made available by the public analyst and the additional public prosecutor posted in the designated food court it appears that more than 370 cases pertaining to 2001 and 2002 are yet to be filed in the court.<sup>9</sup>

The department was found lacking on a number of aspects.

### 1. Inadequate sample

Each SDM is supposed to collect 27 samples per month from his area, but this figure is seldom met. The average number of samples collected by SDMs is roughly 4. In the month of **May 2003** the total number of samples collected by all SDMs was just 7. With this number what can one expect about the quality of inspection? On a random selection of about 100 shopkeepers from selected areas of Delhi

<sup>7</sup> CAG Report on Government of NCT of Delhi of 2000, P. 63, Para 4.

<sup>8</sup> CAG Report on Government of NCT of Delhi of 2000, P.63, Para 5.

<sup>9</sup> Order no. 13/2002 dated December 13, 2002, PFA Department.

not even a single shopkeeper had given sample to food inspectors for testing. On asking the reasons for it SDMs gave "lack of time" as one of the primary reason. SDMs were reportedly preoccupied with other works and they could not devote time for associating themselves in lifting the samples. As a result, the number of samples taken suffered. Moreover, they concentrate generally on lifting popular brand samples for the sake of numbers, but adulteration rate in popular brand samples is very low.

**2. Absence of licensing authority**

Rule 50 of PFA Rules stipulates that no person shall stock, distribute or exhibit for sale any article of food except under the license. But, even after 27 years of its inception, Delhi is the only state (Andaman and Nicobar is a union territory) without a licensing authority. This results in two things:

- a. Loss of revenue to state as license fees
- b. PFA Department has no database regarding the number of food establishments in Delhi.

**5. Dysfunctional Mobile Food Laboratory (MFL)**

Mobile Food Laboratory was set up in 1996 following large number of complaints of milk adulteration. The idea was to create awareness among consumers and do sampling testing on the spot. But the idea died within a few years only. The mobile van that was being used for this purpose is now lying unused for the want of repair. Various reasons given by the officials for this are:

- a. Poor response from the people.
- b. No case of milk adulteration was found.
- c. The prosecution on the basis of MFL report has no "locus standi".

**6. Inefficient utilisation of financial resources**

Sheila Dixit, chief minister of Delhi, claims that Delhi is the best state in terms of utilisation of grants for planned expenditure. The figures quoted by her were 98%. But, this department is an aberration. The department does not fully utilise the financial grants at its disposal. The following table shows that save for one year the department has spent only a part of its annual plan grant. This clearly brings out the lack of proper planning on part of the department.

All figures in lac

Year	Approved outlay (AO)	Revised outlay (RO)	Expenditure	% w.r.t AO	% w.r.t RO
1997-98	30	50	20.35	67.83	40.70
1998-99	40	45	33.40	83.50	74.22
1999-2000	55	26	24.63	44.78	94.73
2000-01	30	20	18.57	61.90	92.85
<b>2001-02</b>	<b>25</b>	<b>25</b>	<b>45.06</b>	<b>180.24</b>	<b>180.24</b>
2002-03	30	30	10.85*	36.17	36.17

(Source: <http://delhiplanning.nic.in/planoutlay.htm>)

Thus, barring one year i.e., 2001-02, the Department has not been able to utilise the allocated resources fully which reflects the bad planning on the part of the Department.

**5. Corruption**

Corruption: a word not alien to the government departments. This department is also not an exception. There have been reports of corruption being rampant in the department. In fact, SDMs were notified as LHA for the purpose of the PFA Act to put a check on the complaints of corruption charges against food inspectors. But the problem persists. Corruption leads to the dismissal of a

large number of cases even before the filing of the charge sheet. There have been reports of some of the officials of Central Food Laboratory being corrupt and hence giving false results of the samples.

**6. Poor quality of Food Laboratory**

Food laboratory is undoubtedly the most important part in the working of the department. This is the place where food samples are tested for their purity and then based on these findings, the cases are taken forward. But, the department’s food laboratory resembles more of a college laboratory than a food laboratory. The laboratory lacks air-conditioners and samples were kept in almirahs. Some of them were as old as five years. For a number of samples, the results of the central food laboratory turn out to be different from the state food laboratory.

**7. Lack of work**

Most of the department officials have no work to do. Earlier the inspection was carried out from the department head office, but since 1998 the food inspectors report to the SDMs for inspection purpose. So LHAs are virtually left with no job but to maintain files. In addition, the other staff also seems to be killing time in the department. My visit to the department at 2 P.M. in the afternoon saw people sleeping and yapping away to glory.

**8. Ill maintained resources**

How strange it sounds! But the department was fully computerised this year to make its work easier. Now the consumer can file a complaint through Internet (it is a different thing that nobody knows about it). But most of the computers are lying idle. The computer wing of the department does not maintain the data regularly for the lack of regular information from other wings and hence is unable to update the data. The mobile food laboratory vehicle is lying unused for the want of repair.

**IV. Lack of awareness among consumers**

Section 12 of the Act states that any purchaser of food (that is the common consumer) can also send across a sample of food which he thinks is adulterated for analysis and consequently take recourse to the law for prosecution of the guilty. However, this is only in name—the sampling procedures to be followed are so technical and elaborate that the very purpose of granting powers to the consumers is defeated. A random selection of 32 consumers from different areas of Delhi gave following responses when quizzed about the steps they will take when the food they purchase turns out to be adulterated:

S.NO.	Response	Number
1.	Will report in consumer grievance forum	15
2.	Will report to the police	06
3.	Will tell food inspectors	04
4.	No response/ no idea	07

Even the four who said that they would report the matter to the Food Inspectors had no idea about what procedures are to be followed. Thus, it is evident that there is complete lack of information among consumers when it comes to reporting of food adulteration.

The department also does not have any concrete plan to ensure that consumers are well aware of their rights. Whatever little steps are taken they are largely sporadic and lack seriousness. Awareness and enforcement are complementary to each other. Awareness demands enforcement, which generates further awareness. The department clearly has to cover a lot of ground on that.

The consumer groups should be sensitised about the different aspects of PFA Act and so do manufacturers and food vendors, who number of times, plead ignorance about the law.

**Suggestions**

**1. Single food law and enforcing agency**

As per a McKinsey Report, there are more than 20 laws relating to food with responsibilities for their implementation divided amongst large number of ministries and departments e.g., Fruit products order, 1955; De-oiled meal and edible flour (control) order, 1967; Vegetables oil products (regulation) order, 1998; Meat food products order, 1973; Atomic energy (control of irradiation of food) rules, 1991. We have therefore a plethora of food legislation and enforcement agencies. The Municipal Corporation of Delhi (MCD) ensures the quality of fruits and vegetables while the quality of spices is ensured by the PFA Department and so on. Such multiplicity and complexity gives rise to multiple harassment and corrupt practices. Keeping this in view, there should be only one law governing the quality of food products and a single enforcement body.

## **2. Flexibility in law**

Laws should be made more flexible in terms of standards with regard to quality of food. These laws are very rigid and the slightest deviation or non-compliance attracts prosecution though it may not render the food article "adulterated" or unfit for consumption. The law should recognise the distinction between sub-standard food and adulterated food.

## **3. Fixation of time limit**

In most cases, the average time period between the prosecution and the final decision is around five years. Almost 5 years have passed since the dropsy outbreak but not a single one has been punished. In fact 18 accused have been discharged on some ground or the other. The law should frame a maximum time limit for all the adulteration cases and such time frame should be adhered to.

## **4. Gradation of punishment**

Gradation of punishments for adulteration and misbranding offences according to their severity and dispensing with the sentence of mandatory imprisonment in all such cases. According to Kuldip Singh, food officer, VOICE, the fine imposed should be based on the turnover of the company.

## **5. Transfer of extra manpower**

How strange it is that while most of the governmental departments have excess manpower, this department suffers from shortage of manpower. The redundant and qualified workforce from other departments should be transferred to the PFA department to make up for the shortage.

## **6. Relieving SDMs from the LHA duty**

One of the reasons given for low number of samples picked up annually is that the SDMs are too busy with their other administrative work to give time to this department. Therefore, the interim arrangement of there being LHAs in their respective zones should be terminated. Instead the food inspectors should be given the power to act independently and an effective feedback mechanism should be developed to check the corruption.

## **7. More emphasis on awareness generation**

Prevention is better than cure, acting on this adage the department should chalk out a plan to spread awareness among consumers regarding food adulteration. Consumer organisations should be stronger with the effective role in adulteration testing, education of consumers, retailers, wholesalers and manufacturers. These organisations should be assisted by the government. The law should make it easier for normal consumers to take samples for testing.

## **8. A planned approach towards sample collection**

The department should draw a quarterly or annual plan to identify the areas more vulnerable to adulteration and act on the basis of this plan. Though the department does take cognisance of different

factors while going for sample collection, they are not effectively followed and the samples are largely drawn on random basis. The department should take more samples from the street vendors, as the percentage of adulteration in their samples is high. Inspection of food items should be done at the manufacturing point, as it is there that adulteration cases generally start.

## Conclusion

Henry Kissinger, National Security Adviser to President Nixon and Ford once said, "it is only 90% of the politicians who give a wrong image about the rest 10%". It holds true for the government departments also. And the PFA Department is one, which definitely falls in the 90 percent category. Officials plead inadequate infrastructure and shoestring staff as the main reasons for this but the Department is equally irresponsible in its working. The laxity in the attitude with regard to enforcement of various provisions coupled with the procedural hurdles makes Delhi a vulnerable place for food adulteration practices. We have not witnessed another epidemic like dropsy after 1998, blame it on the good luck of the Department but it is high time that Delhi government takes a look at its working or lest another Dropsy will break out here. The Department needs to be more accountable in its activities and more consumer-friendly in its approach. Though the resource constraint that the department is facing cannot be denied, the department needs to utilise the existing resources in a much better way.

## Appendix-I<sup>10</sup>

The Planning Department of Delhi government has approved an outlay of 200 lac for PFA Department for the Tenth Five- Year plan (2002-07). Brief details of various schemes in this are as under:

S.No.	Name of Scheme	Approved Outlay
1.	Strengthening of PFA Department inclusive of total quality management (TQM) & system reforms a. strengthening the enforcement branch b. Strengthening monitoring and evaluation vigilance machinery of directorate indentation c. Information and publicity unit d. Licensing	80 lakhs
2.	Setting up of food laboratory	50 lakhs
3.	Setting up of mobile food laboratory	10 lakhs
4.	EDP Cell	30 lakhs
5.	Addition ,alteration and minor repair/ maintenance of existing building	30 lakhs

The planning commission has recognised the need of additional manpower in following sub-branches:

### Strengthening the enforcement branch

S. No.	Name of the post	No. of posts required	No. of posts existing	Additional need
1.	LHA	12	05	07
2.	Stenographers	15	11	04
3.	Food Inspectors	145	37	108
4.	Lower Divisional Clerks	20	15	05
5.	Field Assistants	145	25	120
6.	Total	377	93	244

<sup>10</sup> <http://delhiplanning.nic.in/Write-up/2002-03/volume-II/Public%20Health.pdf> accessed on June 16, 2003

### Strengthening monitoring and evaluation vigilance machinery of directorate

S.No.	Name of the post	No. of posts required	No. of posts existing	Additional need
1.	Superintendent	1	-	1
2.	Upper Divisional Clerks	2	-	2
3.	Caretaker	1	-	1
4.	Peon	9	2	7
5.	Total	13	2	11

### Information and publicity unit

To make the cell fully functional following manpower will be needed:

S.No.	Name of the post	No. of posts
1.	Operator	01
2.	Class IV	02

### Setting up of food laboratories

The planning department believes that the average number of samples handled by the food laboratory will increase to ten thousand by the end of the year 2007. Therefore there is a need for two additional food laboratories in the NCT of Delhi by 2007. The minimum manpower required for these laboratories are as follows:

S.No.	Name of the post	Additional post of existing lab	New lab no. 1	New lab no. 2	Total
1.	Public analyst	-	1	1	2
2.	Deputy public analyst	-	1	1	2
3.	Microbiologist	1	1	1	3
4.	Senior chemist	-	2	2	4
5.	Chemist	-	10	10	20
6.	Lab technician	1	1	1	3
7.	Lab assistant	-	2	2	4
8.	Lab attendant	-	4	4	8
9.	Stenographer	-	1	1	2
10.	Data entry operator	1	2	2	5
11.	Store keeper	-	1	1	2
12.	Lower Divisional Clerk	-	1	1	2
13.	Total	3	27	27	57

### Setting up of mobile food laboratory

The following staff will be required:

S.No.	Name of the post	Proposed post
1.	Driver	9
2.	Class IV	9

## EDP Cell

Computerisation of PFA Department is being done as per the feasibility report prepared by National Informatics Centre. The directorate need following additional staff to successfully implement the programme:

S.No.	Name of post	No. of posts required
1.	Programmer	01
2.	Data entry operator grade- 'C'	03
3.	Data entry operator grade- 'B'	15

## Appendix-II

### Detailed demands for grants of PFA Department<sup>11</sup>

(All figures in thousands)

Heads	2001-02	2002-03	2002-03 (revised estimates)	2003-04 (budget estimates)
Salaries	17519	16244	18806	22545
Wages	02	10	10	05
Domestic travel expenses	57	150	150	80
Over Time Allowance	29	130	130	70
Office expenses	5816	4300	4300	3200
Publicity	--	120	670	500
Publication	--	600	50	600
Setting up of food laboratory	790	1000	1000	--
Setting up of mobile food laboratory	--	--	--	--
EDP Cell in PFA Department	608	1000	1000	--
Strengthening of FTS Laboratories	--	1000	1000	1000
Total	24821	24554	27116	28000

## Appendix- III

### **AND THE CLOCK TICKED ON...<sup>12</sup>**

#### **It is 3:30 a.m. on the clock hanging in front of me.**

I am sitting in the Personnel branch of the director of the PFA Department since 10:30 a.m. It is not that I love to sit idle but the circumstances are such. I have come here in connection with an inquiry with regard to my project on the working of the Directorate of Prevention of Food Adulteration. I

<sup>11</sup> detailed demand for grants, govt. of NCT of Delhi, 2003-04, pp. 191-193

<sup>12</sup> Based on Kumar Gaurav experience with the department on 21 May, 2003.

wanted to know the number of samples taken by the department and number of them found adulterated in last four years. In fact I had mailed my query few days back through Internet thinking that since the department has been computerised, it would be easier to get the information. But no response. (The department spent Rs 5 lac last year in computerisation). So I decided to get the information by visiting the department.

**It was 10 in the morning** that I reached the department and went to the PB (Personal Branch) of the Joint Director (JD).

"*JD sahib to jaruri meeting mein hain. Milna to door kisi ka phone bhi nahin receive karenge*", his PA said. Wow! The department is working. I thought.

I stayed on. People came and went inside the JD sahab room.

**It became 11 a.m.**

"*Aap director sahib se kyon nahin mil lete*", advised again the PA of JD sahib.

I thought, no harm in trying. So walked to the PA of the director.

"*Sahab ko aaj bahut file dekhni hai. Nahi mil sakte . Aap JD sahab se kyon nahin mil lete*", the stock excuse once again.

When I told him that JD sahab is also too busy, he gave a smile and told me that I have no option but to wait. Then I told him about the mail I had written to the director. He told me to contact Ravikant Satdev, the Computer Wing incharge. I walked into his office.

"*Tumhara wo mail maine aage forward kar diya hai*", he said.

So, my mail is hanging here. The mail sent to the Director goes through a number of eyes before a decision is made about the response reply. Hard luck! It will take another 10 days or who knows, may get lost in the way.

I again went to the PA of Director. He told me to sit and wait.

**The clock said, it's 12 p.m.**

JD Sahib comes to meet the director. I interrupt and tell him my problem.

"*Haan tumhara mail mila hai. Abhi baitho. Thodi der mein dekhta hoor*", said the Joint Director.

That *thodi der* became an hour and no signs of *sahib*. Meanwhile tea and refreshments went inside. I was feeling listless and so were others because of my presence. So I was shifted to another room.

**It is 1 p.m.**

I am walking in the corridor to kill my time. Everyone who crosses me gives curious glances. Feeling like an alien in my own land.

"What are you looking for", asked K G Rao, the LHA in the Department. I told him the reason of my visit.

"You would not get that from the department". He said. It sounded more like a warning

JD sahib is getting ready for lunch with the director *sahab*. The preparation is on. The peon is arranging the plates; PA has gone to get the food. I also started feeling hungry. Just five more minutes, I consoled myself.

Jd *sahab* comes out in hurry; looks for some file in his PA room and then goes into his room. Oh no! What is this?

**1 p.m. becomes 1:30 p.m.**

JD sahib comes out for lunch and I give a last try. "You go and meet Ahuja", he said.

So I went to meet R K Ahuja. Waiting time almost over. I thought.

"You better go to the computer department". Oh no! Not again. But I have to.

"I do not have the data. You better go to the food lab", said Satdev.

I said this to R K Ahuja. "Tell JD that I have no information", said R K Ahuja.

But where is JD sahib. He is having lunch. I sunk in the chair. I had heard a lot about the working of the government department but this was my first experience (and I hope the last one).

**It's 2 p.m.**

I am again walking in the corridor.

Everyone is having his lunch save me. The directorate office does not have even a canteen.

Then I saw PA of the director. The last hope for me. "Sir, please help me", I pleaded. Seeing my face he probably felt a kind of guilt and went to the food lab. He comes after 5 minutes.

"What information do you want to have", he asks.

"Sir, just a simple information. I want the number of samples taken and number of them found adulterated for last four years." I said. I go with him to a lady in the food lab.

" I have the information but you have to take permission from higher authorities", she says.

I go to the next higher authority.

" *Madam se permission leni padegi aur madam aaj leave per hain.*" Should I blame the luck or administrative procedures. I do not know.

**So 2 becomes 3 p.m., then 3:30 p.m.**

JD sahib is having tea with the director. I have no option but to wait.

" Either you sit somewhere or go from this place. I told you that you would not get the information", Mr. Rao again.

Thinking about my travails, time clicks on. I am caught in a Catch 22 situation. I do not want to go as I have waited almost for 6 hours and there seems to be no point in waiting as sahib is not in sight.

Finally JD sahib comes out looks at me and says, "*arre abhi tak kaam nahin hua. Did you go to Mr. Ahuja*".

I told him the whole story.

He then takes me the director's room. So finally I got a glimpse of the godfather of the department. *Bas ab to information mil hi jayegi.*

" Get a written statement that you are doing a project." He says.

I showed him the document from the organisation where I was working.

"No! Get a certificate from your college". And my hopes dashed. I felt like crying for two reasons.

One, for the failure to get the report and second for wasting my precious 6 hours.

Thus my 6 hours of waiting yields a simple result: come on Monday with a document. A thing, which could have taken five minutes to be conveyed, took 6 hours. Where are we heading?

This is how most of the government department works. **Go! Experience it.**