Maharashtra government wants life sentence for those selling dodgy food, drugs

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The Maharashtra government wants stringent legal action against those producing, selling and distributing 'unsafe food' and 'not of standard' or sub-standard drugs. The state wants to impose life imprisonment instead of simple imprisonment of six months on those found guilty of such activities by amending sections 272 to 276 of the Indian Penal Code.

It is expected to table a bill in the Winter session of the state legislature.

The officer said the Food Safety Standard Act, 2006 and Rules, 2011 clearly encompass both 'packaged or unpackaged' food. "The government will be able to step up its drive against sale of unsafe and adulterated food, and of Not of Standard drugs, further," the officer added.

IPC's section 272 deals with adulteration of food or drink intended for sale, 273 on sale of noxious food or drink, 274 on adulteration of drugs, 275 on sale of adulterated drugs and 276 on sale of drug as a different drug or preparation. Orissa, West Bengal and Uttar Pradesh have already carried out amendments in this regard.

"The union ministry of health and family welfare identified 60 drugs as 'not of standard quality', spurious, adulterated and misbranded in a list declared in March this year," an official from the state Food & Drugs Administration (FDA) told DNA on Tuesday. "In February 2017, the ministry found 1,850 samples of drugs sold in India to be Not of Standard Quality (NSQ) as per provisions
of the Drugs & Cosmetics Act, 1940. The consumption of such drugs do not have the desired efficacy or effect."

SW Deshpande, former joint commissioner of state FDA, says the proposed amendment will make offences cognizable and non-bailable. "This will have a deterrent effect," he adds.

Dr Jayesh Lele, secretary at the Hospital Board of India, said the government machinery needs to be upgraded up to the level of chemists for effective implementation of the proposed amendments. "The government will have to popularise its action so that patients benefit," he noted.

**The Safety Net**

- IPC Section 272 deals with adulteration of food or drink intended for sale
- IPC Section 273 deals with sale of noxious food or drink, and 274 on adulteration of drugs