

other consideration directly or indirectly for the biscuits being manufactured and/or sold in India; and

(d) in case there is a licensing agreement made by Glaxo with some biscuit manufacturer, what action Government propose to take under Section 28(4) of Foreign Exchange Regulation Act?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY AND AGRICULTURE (SHRI C. SUBRAMANIAM): (a) No, Sir.

(b) and (c). M/s. Britania Biscuit Company Limited are reported to be manufacturing 'Glaxo' biscuits in terms of an agreement between them and M/s. Glaxo Laboratories Ltd. No payment to M/s. Glaxo Laboratories is involved in this regard.

(d) This aspect will be considered under the relevant provisions of the Foreign Exchange Regulation Act.

Companies Manufacturing in Excess of their Licensed Capacity

3854. SHRI NAWAL KISHORE SHARMA:

SHRI NAWAL KISHORE SINHA:

SHRI SAT PAL KAPUR:

Will the Minister of **INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY** be pleased to state:

(a) the names of the companies which are manufacturing in excess of their licensed capacity;

(b) the licensed capacity of each such company and the actual production during the last three years, year-wise;

(c) penal actions provided for under the Industries (Development and Regulation) Act for such excess production over licensed capacity; and

(d) the action Government have taken or proposed to take against each such company so far?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY AND AGRICULTURE (SHRI C. SUBRAMANIAM): (a) to (d). Cases of unauthorised production over licensed capacity have come to Government's notice from time to time. Earlier, 45 cases of unauthorised production over the licensed capacity were reported by the Industrial Licensing Policy Inquiry Committee and referred to the Sarkar Commission for investigation. During the last three years, other individual cases of unauthorised production in excess of licensed capacity have also been reported from time to time. On the basis of the information readily available with the Directorate General of Technical Development, a statement indicating the names, licensed capacity and actual production during the last three years in respect of undertakings engaged in industries under the charge of this Ministry, which have manufactured in excess of their licensed capacity, is laid on the Table of the House [Placed in Library. See No. LT-8330/74]. In order to prevent unauthorised expansion of industry, the Government has issued general instructions that raw material and other assistance should not be given for production in excess of authorised capacity.

The relevant penal provisions are contained in Section 13(1)(d) read with Section 24(1)(i) of the Industries (Development & Regulation) Act, 1951 (65 of 1951).

Production in Excess of Licensed Capacity by Britania Biscuit Company

3855. SHRI NAWAL KISHORE SINHA:

SHRI SAT PAL KAPUR:

Will the Minister of **INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY** be pleased to state:

(a) whether a show cause notice was served on Britannia Biscuit Company for producing eight times of

their licensed capacity at their Madras Factory;

(b) if so, the response of the Britannia Biscuits Company thereto;

(c) whether any prosecution has since been launched against this company for violations of the Section 13(1) of the Industrial (Development and Regulation) Act; and

(d) if so, the particulars thereof and the further action proposed to be taken in the matter?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY AND AGRICULTURE (SHRI C. SUBRAMANIAM): (a) and (b). Messrs Britannia Biscuit Co Ltd. were intimated to the effect that the production of biscuits in their Madras unit in excess of the licensed capacity was considered to be unauthorised expansion without a valid licence under the Industries (Dev. and Reg.) Act, 1951 and that this, therefore, involved violation of provisions of Section 13(1)(d) of the said Act. The company replied that the additional capacity had been achieved by improved technology and change in product-mix. Their representation has been rejected.

(c) and (d) Action against the company for violation of Industries (D & R) Act is under consideration.

Licence to Glaxo Laboratories for Manufacture of Talcum Powder and Throat Lozenges

3856. SHRI NAWAL KISHORE
SINHA:

Will the Minister of INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY be pleased to state:

(a) whether the Glaxo Laboratories have not been given any licence to manufacture talcum powder and throat lozenges;

(b) whether it has come to the notice of Government that Glaxo Laboratories are manufacturing and selling talcum powder and throat lozenges;

(c) the circumstances under which they are doing this malpractice; and

(d) the action taken against the company under Section 18(1) of the Foreign Exchange Regulation Act and the further action proposed to be taken against them?

THE MINISTER OF INDUSTRIAL DEVELOPMENT AND SCIENCE AND TECHNOLOGY AND AGRICULTURE (SHRI C. SUBRAMANIAM): (a) and (b). M/s. Glaxo Laboratories are producing throat lozenges under a licence and talcum powder under a registration certificate of M/s. British Drug House (India) Ltd. which they are reported to have taken over.

(c) The question whether they are indulging in any malpractices in this regard is under examination.

(d) The application of M/s. Glaxo Laboratories under the Foreign Exchange Act, as and when received, will be dealt with under the relevant provisions of that Act.

Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill

3857. SHRI C. K. CHANDRAPAN:
Will the Minister of HOME AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 2174 on the 16th March, 1974 and state:

(a) whether Government intend to introduce the Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill during this session; and

(b) if not, the reasons for delay in taking a decision?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): (a) and (b). Every effort is being made to introduce the Bill. But in view of the difficult issues involved, it will not be possible to introduce it in the current session.