

place would be vacated by him and a new entrant would be taken in. I can assure him and the House that we propose to have 200 posts and if necessary, we shall enlarge the number of posts in due course

Employees' Provident Fund Scheme

*1620 Shri K. N. Pandey: Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether it is a fact that a large amount has been collected by the employers in Uttar Pradesh under the Employees' Provident Fund Scheme, 1952 but the amount has not been deposited with the State Bank of India,

(b) what is the total amount of the Provident Fund Account including both contribution of the employees as well as that of the employers which has not yet been deposited with the State Bank and

(c) the action taken by Government in the matter?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra): (a) Yes

(b) Rs 20,18,641 12 nP at the end of December, 1958

(c) Recovery proceedings and prosecutions have been launched and other suitable steps have been taken

Shri K. N. Pandey: Is it a fact that some of the employers have defaulted the payment of their contribution with the result the employees are not getting the benefits of the Provident Fund?

Shri L. N. Mishra: There has been some default and, naturally the workers have been deprived of some benefit

Shri K. N. Pandey: Is it fair that the workers, who have paid their part of the contribution, should be deprived of the facilities to which they are legitimately entitled?

Shri L. N. Mishra: Certainly it is not fair. They must get all those facilities and action is being taken on the claims

श्री राजसिंह भाई वर्मा क्या श्रीमान् को यह विदित है कि एम्प्लायर्स प्राबीडेंट फंड की रकम को बैंकिंग कंपनी के अन्दर काम में ले लेते हैं और फिर मिल को लिक्विडेशन में ले जाते हैं और मजदूरों के हिस्से का प्राबीडेंट फंड भी चला जाता है ?

श्री ल० ना० मिश्र डिटेल् तो नहीं मालूम है लेकिन यह सच है कि यह रुपया जहा जाना चाहिये वहा नहीं जा रहा है । इसको बसूल करने की कोशिश की जा रही है ।

Shri Thirumala Rao: In view of the lapses that are observed on the part of employers, will Government take steps to see that such things will not be repeated hereafter and make suitable amendments in the law?

The Minister of Labour and Employment and Planning (Shri Nanda): I have been in touch with the situation in this respect and whenever I examine the figures I feel disturbed. I have been writing to the Ministers in the States that much stronger action should be taken for the purpose of recoveries, and prosecutions should be launched soon. This is engaging our attention, although I may point out that the major part of these arrears was in connection with the very earliest stages and the situation has improved. But it is not entirely to our satisfaction and we must think of more vigorous measures

Shri Easwara Iyer: The hon Minister has said that action has been taken for the recovery of these amounts. May I know whether any prosecution has been launched for criminal misappropriation or for criminal breach of trust under the Indian Penal Code?

The Deputy Minister of Labour (Shri Abid Ali): In one case, the provision of the Penal Code also was applied, but we did not succeed in that, because the court said that when a particular law has got a penalty section, the prosecution should be under that law only. However I may inform the House that out of Rs 130 crores accumulated so far on account of provident fund only 16 per cent remains uncollected. Most of this amount, as my senior colleague has informed the House belongs to the period before the provident fund scheme was applied to some of these industries.

Shri Easwara Iyer: The hon Minister said that the court has said that action under the Penal Code is not possible. May I know whether it is the decision of the High Court or of the trial court?

Shri Abid Ali: We are prosecuting these defaulters according to the relevant Act.

Mr. Speaker: He only wants to know.

Shri Abid Ali: Our Legal Department also concurred with the opinion of the court. Therefore we did not take the matter to a higher court.

Mr. Speaker: The hon. Minister is not a lawyer. He wants to know whether this matter has been taken to the High Court and the judgment of the High Court is there.

Shri Abid Ali: I have submitted that it was not taken to the High Court because our Legal Department also concurred with the opinion of the trying magistrate.

Shri S M Baserjee: Since out of this amount of Rs 20 lakhs, nearly Rs 15 lakhs is outstanding in Kanpur alone, may I know whether all the mill-owners who had failed were prosecuted and whether they are now regularly depositing this amount with the State Government?

Shri Abid Ali: Out of the total textile establishments in arrears, as I had informed the House the other day, prosecutions against 25 have been launched.

Shri Gera: The hon Minister has said that they have written to the State Governments, but they are not taking action. Have they tried to find out the reason for this reluctance on the part of the State Governments?

Shri Nanda: I did not say that they were not taking action. They are taking some action. I think this can be made more rigorous than what it is now.

Shri K N. Pandey: Till the matter is settled through prosecution or through any other legal remedy, will the Ministry ensure that the workers entitled up to this time will get the benefit of provident fund?

Shri Abid Ali: The Provident Fund organisation is considering to accept a scheme according to which the workers, whose money has been collected and has not been paid to the Fund, may also get relief. Some reserve fund is being created.

Shri T. B. Vittal Rao: May I know whether this amount which is due from the employers is from exempted factories or from non-exempted factories?

Shri Abid Ali: Both.

श्री राम सिंह भाई बर्मा: जिन कारखानों को बन्द हुए तीन तीन साल हो गये हैं, उनमें काम करने वाले मजदूरों को तीन साल गुजर जाने पर भी उनकी जो जमा रकम थी, वह नहीं मिल पा रही है, मिल मोनर्स की कांटीग्रेशन का मिलना तो प्रलग रहा, उनकी निजी रकम भी नहीं मिल पा रही है? मैं जानना चाहता हूँ कि इस सम्बन्ध में सरकार क्या करने का विचार कर रही है?

श्री अश्विद शर्मा: कुछ ऐसे कारखानों जकर हैं जिन्होंने बर्कस के पैके तो बचल किये और फंड में जमा नहीं किये। उनके बारे में

बैसा में ने यमी यर्ग किया है प्राबिडेंट फंड संस्था एक रिजर्व फंड बना रही है जिस से ऐसे वर्कर्स को पैसे दिये जा सकें ।

Shri T. B. Vittal Rao: May I know..

Mr. Speaker: I have allowed twelve questions. Shri Vittal Rao should have risen earlier.

Housing Scheme for Plantation Workers

*1521. **Shri Ram Krishan Gupta:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether there has been short-fall in the fulfilment of the target of housing scheme for the plantation workers;

(b) if so, to what extent; and

(c) the reasons therefor?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). The original allocation of Rs. 2 crores for the Plantation Labour Housing Scheme is likely to be reduced to Rs. 50 lacs as a result of reappraisal of the Second Five Year Plan. The State Governments implementing this Scheme were able to draw Rs. 3.60 lacs only up to 31st March 1959 and are expected to draw Rs. 12.50 lacs during the current financial year for disbursement of loans to the planters.

(c) The main reason for the short-fall has been the inability of the planters to give to the State Governments adequate security for the loans. Various suggestions are being examined in order to work out a satisfactory solution to the problem.

Shri Ram Krishan Gupta: To what extent have the housing requirements for plantation workers been fulfilled so far?

Shri Anil K. Chanda: Under the Indian Plantations Labour Act, the plantations are to construct every year houses for 8 per cent of the total resident labour force.

Shri Ram Krishan Gupta: May I know whether any assessment has been made so far of the requirement of houses for plantation workers?

Shri Anil K. Chanda: I do not think that we have the exact figures.

Shri Rameshwar Tanti: May I know whether it is a fact that some tea plantation companies established in Cachar and Terai are in financial difficulties and had approached the Tea Board early last year for financial assistance to build workers' houses or for their improvement; if so, what steps the Government are taking to establish a Tea Financing Corporation?

Shri Anil K. Chanda: As it is, there is financial provision made under this present scheme, that is, the Plantations Labour Housing Scheme. But the small plantations find it difficult to offer the necessary security to the State Governments who are responsible to the Central Government for the return of the money. That is the principal difficulty with regard to small plantations.

Shri Hem Barua: In view of the fact that tea garden labour in Assam live in the most deplorable conditions, almost in tattered huts. Why have the Government considered it fit to reduce this sum? What steps have the Government taken to compel the tea planters to put their security deposits with the State Governments?

Shri Anil K. Chanda: The actual off-take of money was very little. During the last three years only Rs. 3 lakhs have been drawn. There is no point in keeping on paper a big amount which really is not being utilised. But all possible steps are being taken and various suggestions have been made to the State Governments so that the difficulty experienced by the plantations in offering security may be obviated.

Shri Basappa: What is the amount set apart for the housing of coffee plantation workers? Has any satisfactory solution been sent by the Coffee Board in this direction?