

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:790
ANSWERED ON:06.12.2004
DEFAULTERS PSUs
Purandeswari Smt. Daggubati

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether certain Public Sector Undertakings which have not deposited their employee's Provident Fund contribution with the Employees Provident Fund Office (EPFO) as on March 31, 2004.
- (b) if so, the names of the defaulters PSUs for the last three years and thereafter, State-wise; and
- (c) the action taken by the Government to make the Provident Fund (PF) defaulters accountable and the steps taken to deposit the outstanding PF dues?

Answer

MINISTER OF LABOUR AND EMPLOYMENT (SHRI K. CHANDRASEKHAR RAO)

(a): Yes, Sir.

(b): The details of such PSUs in default (Region-wise) for the last three years is given in Annexure-A.

(c): Whenever any default is detected, actions under the Sections 7A, 8F, 8B to 8G, 14(1A), 14B & 7Q of Employees' Provident Funds & Miscellaneous Provisions Act, 1952, under Section 406/409 of IPC and under Section 110 of CrPC, are taken against defaulters.

Annexure A

DETAILS OF PSUs IN DEFAULT (Rs. In lakhs)

Region 2001-02 2002-03 2003-04

Estt. Amt. Estt. Amt. Estt. Amt.

Andhra Pradesh	25	2224.65	52	4101.74	65	6032.20
Bihar	27	5544.16	32	4410.94	28	3854.63
Chattisgarh	2	1227.03	3	1105.65	2	5.97
Delhi	4	55.78	1	35.43	4	1047.59
Gujarat	25	14573.80	24	882.22	24	689.48
Goa	0	0.00	0	0.00	0	0.00
Haryana	5	5246.87	5	1300.78	5	499.35
Himachal Pradesh	4	22.40	2	18.67	1	2.18
Jharkhand	9	1831.08	8	1931.34	6	942.02
Karnataka	20	1212.05	30	2440.55	25	2202.75
Kerala	36	754.59	40	1069.47	50	952.46
Madhya Pradesh	39	6672.38	46	6379.98	44	5471.82
Maharashtra	46	5400.47	46	5321.24	46	5684.47
N-E Region	35	2734.44	35	2539.53	45	2189.21
Orissa	147	2698.07	124	3900.04	201	7231.47
Punjab	20	576.60	23	691.65	94	1348.11
Rajasthan	8	1421.85	13	1436.90	11	2981.11
Tamil Nadu	32	978.77	31	1059.81	48	937.62
Uttaranchal	7	345.27	22	842.40	28	4069.77
Uttar Pradesh	54	12419.68	98	7022.18	92	8868.11
West Bengal	83	19272.75	68	14213.93	100	14554.34

TOTAL 628 85212.69 703 60704.48 919 69564.66

ANNEXURE `B`

COERCIVE ACTIONS TAKEN AGAINST PROVIDENT FUND DEFAULTERS

1. Action under section 7A - quantification of Provident Fund dues and raising demand against defaulters.
2. Action under section 8F prohibiting 3rd parties including bankers against payment due to the defaulter and appropriating it against Provident Fund dues.
3. Recovery action by:-
 - (i) Attachment and sale of movable and immovable properties of the defaulting establishments.
 - (ii) Appointment of receiver to run the business of the defaulting establishment.
 - (iii) Arrest and detention of defaulter.
4. Action under section 14 of EPF Act - Prosecution of the defaulters before the courts of law.
5. Action under section 14B - levying damages as penalty - a deterrent action.
6. Prosecution under section 406/409 IPC - for non payment of employees share deducted from the wages but not deposited.
7. Action under section 110 CrPC - Complaints with the Executive Magistrate.
8. Action under section 7Q - levy of interest for belated remittances.
9. The names of major defaulters (above Rs. 10 lakhs) are put on the website of Employees Provident Fund Organisation.