

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

UNSTARRED QUESTION NO:2366

ANSWERED ON:09.08.2010

NEGLIGENCE OF LABOUR INSPECTORS

Deshmukh Shri K. D.;Mahendrasinh Shri Chauhan ;Vasava Shri Mansukhbhai D.

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

(a) whether workers/labourers engaged in various parts of the country are denied their right to minimum wages, payment of overtime and bonus, Employees State Insurance, Provident Fund, medical and other facilities due to non-compliance of various Labour Laws by owner of establishments and negligence of concerned officials/labour inspectors;

(b) if so, the details thereof alongwith the number of complaints/cases registered against concerned officials /labour inspectors during each of the last three years and the current year, State-wise;and

(c) the action taken by the Government against the officials/personnel found guilty alongwith the steps taken by the Government to stop such negligence in future?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT)

(a) to (c): The enforcement of the provisions of various Labour laws has been prescribed under provisions of the relevant Acts and is secured through the officers of the Central Industrial Relations Machinery (CIRM) in the Central Sphere, and through the State enforcement machinery in the State Sphere. Some of the labour enactments are also enforced by the Employees State Insurance Corporation and Employees Provident Fund Organization.

The officers of these machineries conduct regular inspections of establishments under their jurisdiction and in the event of detection of any case of violations of the provisions of the labour enactments, show cause notice is issued to the erring employer with a direction to rectify the irregularity within a stipulated period. In case of non-compliance of such directions, there are the provisions of prosecutions in the Acts against the defaulting employers. In addition, special inspection drives are also undertaken for ensuring effective implementation of these Acts.

The information regarding inspections conducted, prosecutions launched, claim case filed and decided and amount awarded under Minimum Wages Act and Payment of Bonus Act in Central Sphere is at Annexure I & II. The information of State sphere is not centrally maintained.

During last three years no complaints/case against officers of Central Industrial Relations Machinery has been registered. However, disciplinary proceedings have been initiated against 61 Insurance Inspector/Social Security Officers for negligence/misconduct on their part. The year-wise and state-wise break-up is enclosed at Annexure III. In regard to Employees Provident Fund, certain complaints alleging Provident Fund evasion have been received by Vigilance Wing of Employees Provident Fund Organisation. The State wise details of the complaints alleging Provident Fund evasion are at Annexure IV.

To stop negligence on the part of Insurance Inspector/Social Security Officers, a system of re-inspection of the units has been adopted by the Employees State Insurance Corporation and a project for computerization for achieving transparency in all its activities has also been initiated.