

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

UNSTARRED QUESTION NO:2046
ANSWERED ON:22.11.2010
CASES AGAINST EMPLOYEES UNDER LABOUR LAWS
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Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the number of cases registered/got registered by the Offices of the Employees Provident Fund Commissioner in the country including Karnataka against employees for violation of various provisions of labour laws during the last three years and the current year;
- (b) the number of such pending cases for over three years with the reasons for the delay; and
- (c) the steps proposed to be taken to ensure speeding disposal of such cases?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT)

(a) to (c): Information regarding number of Cases registered against the employees may be treated as nil.

However, employers are prosecuted on violation of provisions of EPF & MP Act, 1952 and the Schemes framed thereunder u/s 14 of the Act read with para 76 of EPF Scheme, 1952, para 42 of EPS, 1995 and para 29 of EDLI Scheme, 1976, as the case may be. Under the penal provisions, prosecution can be launched against the employer for default in payment of contribution/submission of returns / furnishing of wrong information etc. The number of cases filed u/s 14 Of the Act for the last three year is :

Year No. of No. of cases filed
cases filed in Karnataka State

2007-08 4854 787

2008-09 4515 1047

2009-10 3711 464

For the current year, information is being collected from field offices of EPFO.

Cases under 406/409 IPC can also be filed where employer does not remit the employee's share of contribution in the statutory account after deducting from the wages. The number of cases filed u/s 406/409 of IPC for the last three years is as under:

Year No. of No. of cases filed
cases filed in Karnataka State

2007-08 559 38

2008-09 320 71

2009-10 442 53

For the current year, information is being collected from field offices of EPFO.

Heavy pendency in courts and normal procedure of court is the main reason for delay.