

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

UNSTARRED QUESTION NO:6349
ANSWERED ON:06.05.2013
NON PAYMENT OF DUES BY LIQUIDATED COMPANIES
Krishnaswamy Shri M.

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

- (a) whether the provident fund dues of employees of closed/liquidated textile mills are pending against the said mills in the country;
- (b) if so, the details thereof and the reasons therefor; and
- (c) the steps being taken by the Government to ensure the payment of the said dues at the earliest?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT (SHRI KODIKUNNIL SURESH)

(a) Yes, Madam.

(b) Details of such dues are annexed. Recovery of dues in case of establishments gone into liquidation is pending due to non-completion of the process of liquidation by the official liquidator. In case of closed establishments, the recovery is delayed due to legal disputes.

(c) Steps taken by Employees' Provident Fund Organisation for recovery of dues against the closed establishments are as under:

1. Initiation of inquiry under Section 7A of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 for assessment of dues.
2. Recovery measures under Section 8 of the Act/Provisions of the Second and Third Schedules to Income Tax Act, 1961 which includes:
 - (i) Attachment of movable & immovable property.
 - (ii) Appointment of receiver.
 - (iii) Arrest of defaulters.
3. Levy of Damages under Section 14B of the Act for belated remittances.
4. Filing of Prosecution cases under Section 14 of the Act.

In respect of establishments under liquidation, claims have been filed with Official Liquidator for release of PF dues.