

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

UNSTARRED QUESTION NO:1893
ANSWERED ON:09.03.2015
NON PAYMENT OF PF TO WORKERS
Roy Prof. Saugata

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

- (a) whether a large numbers of establishments including private construction companies are denying Provident Fund (PF) benefits to the workers;
- (b) if so, the details thereof and the reasons therefor;
- (c) the number of cases registered in this regard during the last three years and the current year along with the action taken thereon; and
- (d) the measures taken by the Government to protect the interest of such workers in this regard?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

- (a): Instances of denial of provident fund benefits by some establishments, including private construction companies, covered under Employees' Provident Funds & Miscellaneous Provisions (EPF&MP) Act, 1952 have come to the notice of Employees' Provident Fund Organisation (EPFO) as they have defaulted in complying with the provisions of the Act and the Schemes framed thereunder.
- (b): The details of defaulting establishments covered under the Act are at Annex "A".
- (c): Inquiries under Section 7A of EPF&MP Act, 1952 have been initiated against the defaulting establishments. The details of number of inquiries under Section 7A of the Act during the last three years and the current year (upto December, 2014) are at Annex "B".
- (d): The following actions are taken by EPFO against the defaulting establishments to protect the interest of workers covered under the Act:
 - (i) Action under Section 7A of EPF&MP Act, 1952 against the defaulting establishments for asse- ssment of dues.
 - (ii) Action under Section 14B of the Act for levying of damages for belated deposit of dues.
 - (iii) Action under Section 7Q of the Act for levy of interest for belated remittances.
 - (iv) Recovery actions as provided under Section 8B to 8G of the Act.
 - (v) Action under Section 14 of the Act for filing prosecution against the defaulters before the competent court of law.
 - (vi) Action under Section 406/409 of Indian Penal Code (IPC) against the employer for non-payment of employees' share of contribution deducted from the wages/salary of the employees but not depo- sited in the fund.