

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

UNSTARRED QUESTION NO:1895
ANSWERED ON:09.03.2015
NON DEPOSIT OF EPF SUBSCRIPTION
Bohara Shri Ramcharan

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

- (a) whether a number of employers and establishments are not depositing their contribution in Employees' Provident Fund (EPF) regularly and that some Government bodies are also violating PF laws;
- (b) if so, the details thereof and the reasons therefor along with the action taken by the Government against such defaulting employers and establishments including Government bodies etc. during each of the last three years and the current year, State/UT-wise;
- (c) whether the Government has taken any action to ensure compliance of PF laws by all establishments/employers including Government bodies;
- (d) if so, the details thereof and if not, the reasons therefor; and
- (e) the measures taken by the Government to protect the interests of the employees in this regard?

Answer

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

(a): Instances of non-deposit of contribution by some establishments, 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 violated the provisions of the Act and the Schemes framed thereunder.

(b) to (e): The State/UT-wise details of defaulting establishments for the last three years and the current year (upto December, 2014) are at Annex.

The following actions have been 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 assessment 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 deposited in the fund.