

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

UNSTARRED QUESTION NO:1350

ANSWERED ON:01.12.2014

DEPOSIT OF EPF CONTRIBUTION

Kumar Dr. Virendra ;Nayak Shri B.V.;Singh Shri Pashupati Nath

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 Provident Fund (PF) 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 establishment 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) to (e): Yes, Madam. Some of the establishments including Government bodies covered under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 have defaulted for different periods in remitting their share of Provident Fund contribution and thereby violated the Provisions of the Act and the Schemes framed thereunder. The State/UT-wise details of defaulting establishments for last three years and current year (up to June, 2014) are at Annex.

For such defaults, the following actions have been taken by EPFO against the defaulters:

- i. Wherever the establishments were found coverable under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952, the same have been covered under the Act.
- ii. In case of default in remittance of dues, enquiry under Section 7A of the Act has been initiated for quantification of dues.
- iii. The dues have been recovered by way of recovery action under section 8 of the Act.
- iv. In case of belated remittance, action under Section 14B of the Act has been taken for levy of penal damages and under Section 7Q for calculating interest.
- v. Action under Section 14 of the Act has been taken for filing prosecution against the defaulters before the competent court of law.
- vi. Wherever it was found that the Provident Fund contribution has been deducted from salary of employees but not deposited in the fund, action under Section 406/409 of IPC has been taken.