

उनसे क्या बात हुई, क्या नहीं हुई, यह मैं नहीं कह सकता और ना ही इस क्वेश्चन में यह बात है। मैंने यह बिल्कुल स्पष्ट किया है कि हम रिजर्वेशन के बेसिस पर कोई रिजर्वेशन नहीं कर रहे हैं, न करना चाहते हैं और न करने का इरादा है। यहां सेक्युलर कांस्टीट्यूशन है, सेक्युलर स्टेट है। हमारा फर्ज सिर्फ इतना ही है कि उनको नैगलेक्ट न होने दे, कोई उनको दवा न सके, उनका जो हक बनना है वह उन को मिले।

Arrears of Provident Fund in Maharashtra

*123 SHRI R. K. MHALGI: Will the Minister of LABOUR be pleased to lay a statement showing:

(a) the total arrears in respect of provident fund contributions of the employers in Maharashtra State;

(b) the total arrears in respect of amounts deducted from employees but not deposited with the Provident Fund Commissioner by the said employers;

(c) whether Government are contemplating any additional/new provisions in the Provident Fund and Miscellaneous Provisions Act to control and reduce this incidence of default; and

(d) if so, what are the proposed measures?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MATI RAM DULARI SINHA): (a) to (d). A statement is laid on the table of the House.

Statement

The Employees' Provident Fund authorities have reported as under:--

(a) A sum of Rs. 627.37 lakhs (both employers' and employees'

share) was outstanding as on 30-6-1980 from unexempted establishments in Maharashtra State. Another sum of Rs. 38.24 lakhs was also outstanding from exempted establishments in Maharashtra.

(b) A sum of Rs. 202.07 lakhs was outstanding against employers, as employees' contributions, to be deposited with the Regional Provident Fund Commissioner as on 30-6-1980.

(c) and (d). In order to curb the mounting arrears of provident fund dues and to make the penal provisions more stringent, the following legislative proposals are under the consideration of the Government:

(i) Amendment of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 to make the offences under the Act as continuing ones so that they may not be barred by the period of limitation prescribed in Section 468 of the Criminal Procedure Code and the Courts may take cognizance of the prosecutions filed by the organisation against defaulting establishments without limit of time.

(ii) to provide for the provident fund arrears being recovered as 'Public Demand'.

(iii) to provide for the dues representing the contributions of the employers as well as the employees to the Employees' Provident Fund, Family Pension Fund and the Employees' Deposit-linked Insurance Fund being given first priority in the distribution of assets of the defaulting establishments going into liquidation or ordered to be wound up by a Court.

(iv) to amend section 8 of the Act so that the amount in default from exempted establishments may also be recovered as arrears of land revenue.

(v) to amend section 14B of the Act to bring within its scope the exempted establishments also so

that damages may be levied against the employers of such establishments for belated transfer of statutory dues to the Board of Trustees.

On the recommendation of the Public Accounts Committee, a High Level Committee has been appointed to review the working of the Provident Fund Scheme with particular reference to the arrears of contributions. This Committee is also expected to make recommendations regarding the measures to be taken to control and reduce the incidence of default. The report of the Committee is awaited.

MR. DEPUTY-SPEAKER: Mr. Mhalgi, put your first supplementary. Go ahead, fo ahead... (Interruptions)

SHRI R. K. MHALGI: I am ready with my first supplementary. (Interruptions).

MR. DEPUTY-SPEAKER: Hon. Members, you are going to have a full discussion on this subject and the time has been allotted by the Speaker. (Interruptions) I would appeal to you. Please sit down. (Interruptions) You are going to have a full discussion (Interruptions). This is my observation: When such situations arise in Parliament, the leaders of political parties should control their Members. (Interruptions). Forty-five minutes are over for one Question. I have given sufficient time, as far as possible... (Interruptions) I am telling you, you are going to have a full discussion. I would appeal to the Members of the Congress Party and to this House... with the co-operation of the Members of all the political parties, to take responsibility to restore order in this House. This is my appeal. (Interruptions) I would appeal to Hon. Members to... (Interruptions) and to co-operate with me. (Interruptions) Please sit down. No point of order. It is Question Hour. Please sit down. Mr. Mhalgi, ... (Interruptions)

SHRI R. K. MHALGI: Mounting arrears of Provident Fund.... (Interruptions)

श्री जगपाल सिंह : आपने कहा था कि मौका देंगे, सब को मौका देंगे। अब आप मौका क्यों नहीं दे रहे हैं। इस क्वेश्चन में सेम प्राबलम है, सेम इश्यू है। आपने कहा कि सबका नाम नोट कर रहे हैं। (ब्यवधान) हम कब से आपकी तरफ इशारा कर रहे हैं?

श्री राजनाथ सोनकर शास्त्री : सब को अपनी बात कहने मौका का दिया जाना चाहिए। (ब्यवधान)।

SHRI R. K. BHALGI: Mounting; arrears of Provident Fund.. (Interruptions)

MR. DEPUTY-SPEAKER: Mr. Mhalgi, he is also an Opposition Member.

SHRI R. K. MHALGI: Mounting arrears of Provident Fund due from employers is a thing of... (Interruptions). The same question is taken up practically in every session of Lok Sabha. A sum of Rs. 2 crores and more was outstanding against the employers as employees' contribution. They have no right to use the employees' money. May I know from the Hon. Minister whether legislative proposals are under consideration of the Government to curb the arrears of Provident Fund dues and what are the difficulties in bringing the necessary amending Bill before the House and when will it be introduced in this House?

THE MINISTER OF PLANNING AND LABOUR (SHRI NARAYAN DATT TIWARI): As the Hon. and learned Member will find from the statement furnished to him, the Public Accounts Committee made a certain recommendation that the Government should set up a high-powered committee and we have to honour the recommendations of the

Lok Sabha P.A.C. The high level committee has been constituted and it is expected that the report of this committee will be out by the end of next month, i.e., December. As soon as we get the report from the high level committee, the proposals already formulated will be reconsidered and a Bill will be introduced in this House.

SHRI R. K. MHALGI: It has been stated in the reply that a sum of Rs. 6.27 crores is outstanding on 30th June 1980 from the non-exempted establishments in Maharashtra. How many such establishments are there?

SHRI NARAYAN DATT TIWARI: The pendency regarding Maharashtra from the exempted and unexempted undertakings—the total amount—is mentioned in the statement. Most of these undertakings are National Textile Corporation undertakings which have been taken over by the Central Government because of their being sick units. So, there is a special problem regarding most of the units. This matter is also under consideration between our respective Ministries.

SHRI R. K. MHALGI: What is the number of such establishments—100, 200 or 500? What is the number?

SHRI NARAYAN DATT TIWARI: The number is 655. 259 cases have been disposed of. 212 cases are pending, under review.

SHRI XAVIER ARAKAL: The arrears are mounting practically in every State. We have gone through the steps being taken by the Government. Two steps are conspicuously missing in them. One is the opening of new regional provident fund offices and the other is increasing the staff. We have personally made the suggestion to open an RPF office at Cochin also. Will the hon. Minister consider the suggestion to open the new offices and also increasing the staff of this department?

SHRI NARAYAN DATT TIWARI: The point made by the hon. Member is well taken. We will sympathetically consider opening a provident fund office at Cochin.

MR DEPUTY SPEAKER: Sympathetically and actually also.

SHRI SOMNATH CHATTERJEE: From the answer it appears that in one State alone, the situation is alarming and more than Rs. 8 crores are outstanding in one State alone. May I know whether he has got the material to tell us since when this amount has been allowed to be accumulated, because the experience is that the provident fund authorities do not take penal measures or measures to recover the dues in time and they are allowed to accumulate to help some of the big business houses? I would like to know since when, over what period, this accumulation has taken place and what are the steps Government are going to take to expedite the proposed amendments to be brought forward and when the high level committee will give its report, so that at least these proposals may be introduced by an ordinance which will get all-round support instead of ordinances like the National Security Ordinance? I would like to know whether a time-limit would be fixed.

SHRI NARAYAN DATT TIWARI: Even though we are concerned with the arrears, still the picture is not so bad. Out of a total corpus of Rs. 6532 crores in the provident fund account, the arrears are only Rs. 27.14 crores, i.e. 0.9 per cent. For getting these provident fund arrears cleared, 6,129 revenue recovery certificates have been issued and 1,755 prosecution cases have been launched.

SHRI SOMNATH CHATTERJEE: What about immediate action?

SHRI NARAYAN DATT TIWARI: Immediate action is being taken. Revenue recovery certificates are being issued. One of the proposals before the Government is to further stren-

ngthen the legislation here so that instead of these revenue recovery certificates being issued, we should make a public demand certificate so that it is on par with Government dues. That is one of the matters under consideration. As far as the report is concerned, it is expected that this Committee will report by the end of December.

PROF. K. K. TEWARY: Is the hon. Minister aware that Rohtas Industries, owned by Sahu Jain, in Bihar has deducted crores of rupees from the salaries of employees as provident fund contribution and has squandered it away? If it is so What do government propose to do in the matter?

SHRI NARAYAN DATT TIWARI: I would like to have notice, because I do not have specific information regarding Bihar. The question was regarding Maharashtra.

SHRI N. K. SHEJWALKAR: There was a press report in the *Statesman* and other papers of the 1st of August that the employers are opposed to any change in the provident fund laws. Are you going to succumb to that?

SHRI NARAYAN DUTT TIWARI: There is no question of our succumbing to any employers. If it is felt necessary, we shall bring legislation.

श्री गिरधारी लाल ब्यास : उपाध्यक्ष महोदय, मैं मंत्री महोदय से जानना चाहता हूँ कि प्राविडेंट फंड के कितने केसिज़ ऐसे हैं, जिनमें मजदूरों की तरफ से पैसा जमा करा दिया गया, लेकिन मालिकों ने जमा नहीं कराया। मैं ख़ास तौर से राजस्थान में अपने जिले भीलवाड़ा के बारे में बताना चाहता हूँ कि वहाँ पर माइका माइन्ज, सोप-स्टोन और टैक्सटाइल मिल वगैरह जितनी भी इंडस्ट्रीज़ हैं, उनमें से बहुत से मालिकों ने पैसा जमा नहीं कराया। भारत सरकार ने अब तक उनके खिलाफ क्या एक्शन लिया है ?

श्री नारायण बल तिवारी : मैं विद्वान सदस्य की भावनाओं का बड़ा आदर

करता हूँ, लेकिन जैसा कि मैंने पहले विन निवेदन किया है, यह प्रश्न केवल महाराष्ट्र के विषय में है। अगर वह कृपा कर के भीलवाड़ा के सम्बन्ध में अलग से नोटिस देंगे, तो मैं अवश्य उन्हें जानकारी दे सकूंगा।

कोटा परमाणु विद्युत केन्द्र, राजस्थान का बन्द कि सा जाना

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* 124. श्री वृद्धि चंद जैन :

श्री मूल चन्द डांगल : क्या प्रधान मंत्री निम्नलिखित जानकारी दर्शाने वाला एक विवरण सभा पटल पर रखने की कृपा करेंगे कि :

(क) राजस्थान में कोटा परमाणु विद्युत केन्द्र गत तीन वर्षों के दौरान वर्ष-वार कितने-कितने दिन बन्द रहा और इसके बन्द रहने के कारण क्या है ;

(ख) जनवरी, 1980 से यह कितने दिन बन्द रहा और इसके कारण क्या हैं ;

(ग) क्या यह सच है कि उक्त परमाणु विद्युत केन्द्र में कुछ ऐसी यांत्रिक खराबियाँ हैं जिन्हें देश के वैज्ञानिक और विशेषज्ञ स्थायी रूप से दूर करने में असफल रहे हैं ;

(घ) इस केन्द्र के कार्यकरण में मुधार के लिए क्या स्थायी उपचारात्मक उपाय किए जा रहे हैं ; और

(ङ) उक्त परमाणु विद्युत केन्द्र की यांत्रिक तथा अन्य खराबियों को सरकार कब तक दूर कर सकेगी और नियमित बिजली सप्लाई सुनिश्चित कर सकेगी ?

THE MINISTER OF STATE IN THE DEPARTMENT OF SCIENCE AND TECHNOLOGY AND ELECTRONICS (SHRI C. P. N. SINGH): (a) to (e). A statement is laid on the Table of the House.