

LOK SABHA DEBATES

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LOK SABHA

*Monday, March 14, 1988/Phalguna 24,
1909 (Saka)*

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

[*English*]

Special Courts for E.P.F. Cases

*262. †SHRI BANWARI LAL
PUROHIT :

SHRI V. SREENIVASA
PRASAD :

Will the Minister of LABOUR be pleased to state :

(a) whether Government have a proposal to set up special courts for trying offences committed under the Employees Provident

Fund and Miscellaneous Provisions Act, 1952 ;

(b) if so, the details thereof and the places where these special courts will be set up ; and

(c) the details of such cases pending in each State ?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI JAGDISH TYTLER) : (a) and (b). The Central Board of Trustees, Employees' Provident Fund had, at its meeting held on 16th February, 1988 approved a proposal for meeting the expenditure on two Special Courts, which may be set up in West Bengal for trial of offences committed under the EPF Act and the schemes framed there-under. The Trustees had also decided that similar courts may be set up in Maharashtra and Bihar, where there was a large pendency of cases.

(c) A statement showing the details of pending cases, State-wise, as on 31-3-87, is given below :

Statement

Name of the State

Cases pending for default in payment of

Provident Fund Contribution	Family Pension, Contribution	Deposit Linked Insurance Contribution	Total
(as on 31-3-1987)			

1

2

3

4

5

Andhra Pradesh

365

128

118

611

N.E. Region

250

68

26

344

Bihar

5718

888

518

7124

Delhi

525

75

—

600

1	2	3	4	5
Gujarat	849	280	417	1546
Haryana	1101	1101	480	2682
Karnataka	1498	—	—	1498
Kerala	213	169	132	514
Madhya Pradesh	1136	—	—	1136
Maharashtra	5606	2836	2576	11018
Orissa	1176	220	295	1691
Punjab	377	208	232	817
Rajasthan	241	36	91	368
Tamil Nadu	1214	407	326	1947
Uttar Pradesh	1823	—	944	2767
West Bengal	21864	7673	4370	33907
Total	43956	14089	10525	68570

[Translation]

SHRI BANWARI LAL PUROHIT (Nagpur) : Mr. Speaker, Sir, there are malpractices and too much corruption prevalent in Provident Fund Department. I would like to inform that 68,570 cases are pending against employers. There are two types of malpractices in the Provident Fund Department. Firstly, the Government Officials in collaboration with the employers continue to give them extension of time for payment of EPF resulting in undue sufferings to poor workers. Claims of poor workers remain unsettled for years. Their claims can not be settled unless they pay something to the officials. Cases remain pending for years. I have also raised several such matters. I would like to know from the hon. Minister the number of cases pending in the courts and the number of the cases decided out of these 68,570 cases. Secondly, I would also like to know whether there is any time limit for the settlement of the cases as the cases remain unsettled for three to four years? Are there any norms regarding the settlement of such cases? Due to delay and non-payment, many workers do not live

long to receive payment. There must be certain norms that the payment of the claims will certainly be made within a specific period after the retirement or death of the employee.

[English]

SHRI RANJIT SINGH GAEKWAD : Sir, Half-an-Hour discussion is necessary.

[Translation]

MR. SPEAKER : Let him reply the first question.

SHRI JAGDISH TYTLER : Sir, as regards default in payment, there are 43,956 cases. Out of this, about 29,974 cases are prosecution cases.

[English]

This is a total figure. Every month 497 cases are being filed. I would like to inform the hon. Member that in 1986-87, 5.49 per cent of the claims were settled and a sum of Rs. 335.13 crores was authorised for payment. Eighty nine per cent of the claims, which became due for settlement, have been

settled after excluding the claims which were returned for rectification. Out of these, 51.46 per cent were given within twenty days after the retirement, which is generally supposed to be given to everybody. During 1986-87, 16.64 per cent of the claims were returned because the entries were not filled properly. This was due to the failure to include vital information which was needed for settlement of claims, or for want of necessary documents....

[*Translation*]

SHRI BANWARI LAL PUROHIT : This is no reason.

SHRI JAGDISH TYTLER : How can claims be settled unless papers are submitted properly as required ? I would like to assure that the process will be speeded up. After taking over the charge the first step I proposed was to streamline the system and to make payment of the claim according to the rules immediately after the retirement of the worker.

SHRI BANWARI LAL PUROHIT : Unless they are paid, officers do not proceed with the case.

SHRI JAGDISH TYTLER : I have informed that in all there are 1 crore 40 lakh accounts and 1 lakh 69 thousand establishments which are required to submit returns every month. That is why we are going to computerise the accounts. After that we would be able to know as to how much money is due to a worker. He will not be required to visit the office again and again as the figures would be available with the computer. Certain unions are opposing computerisation ; we are discussing the matter with them. We will be able to sort out the issue early and take quick decision in this regard.

SHRI BANWARI LAL PUROHIT : In his reply, the hon. Minister has stated that the Central Board of Trustees, Employees' Provident Fund has approved a proposal to set up special courts. You are going to set up special courts in the State of Maharashtra also. I would like to know the time by which the courts would be set up in Maharashtra to enable the people to have some relief, because after West Bengal, maximum cases are pending in Maharashtra.

SHRI JAGDISH TYTLER : Government has written several times to the State regarding setting up of special courts but still some doubts are there in the minds of the people. Special courts are under the control of States and such cases are to be decided by these courts. The Government wants early settlement of all these cases.

SHRI BANWARI LAL PUROHIT : What about Maharashtra ?

SHRI JAGDISH TYTLER : Government will take steps to see that these cases, be in Maharashtra or Bihar, are settled at an early date.

[*English*]

SHRI DINESH GOSWAMI : This question has come up on earlier occasions and Members have expressed concern about it. I would like to know whether the Government proposes to desist from giving any assistance to those defaulting firms, and supposing, a person who is entitled for the Provident Fund, is given the amount at a later date, whether that provident fund will be added reasonable interest for the defaulting period. Does the Government have such a proposal ?

SHRI JAGDISH TYTLER : Government does not have this proposal because we do not know what could be the reasons. I just quoted figures that within 20 days over 50 per cent of the claims have been settled. I think you will feel happy to know that an amount of Rs. 335 crores was settled in one year and over 51 per cent of the cases were settled within 20 days. My endeavour is to see that if the form comes properly within 20 days, the cases should be settled so that the poor worker should get his due which he has earned throughout his life.

SHRI RANJIT SINGH GAEKWAD : I am happy to learn that the Government is computerising the form so that the labourer does not have any problem and whenever money is due to him he will get it without any difficulty. But, as you all know, the labourer is hardly educated. Is the Government streamlining the form which the labourer has to fill up so that he himself understands what he is writing and what he is going to get ?

SHRI JAGDISH TYTLER : This is one

of the problems which I am going to take up because we have windows to help labourers in filling up the forms where the forms have not been properly filled. One of the reasons why computerisation is being done is to have one window system. There are some other reasons also. I do not want to go into the rights or wrongs of the unions questioning whether computerisation should be done or not, but I think if ultimately we have to help the poor worker to get his hard earned dues after his retirement, we have to see to it that he does not have to come again and again. Once the chit comes on the computer, he gets his money.

SHRI THAMPAN THOMAS : Sir, as regards the provident fund which is to be paid by the employers in respect of the workers, there is a big default. I would like to know whether the Government have taken prosecution steps against the employers who have defaulted and if so, in how many cases such steps have been taken. Also I would like to know whether there is a huge amount of provident fund of the workers lying unclaimed with the Government and if so, what are the reasons for this amount lying unclaimed.

SHRI JAGDISH TYTLER : Sir, there are a large number of prosecution cases pending. I have the Statewise list with me. I can read it out, but the total is 29,974. The average number of cases which are filed per month is 497. The second part of your question is regarding the amount lying unclaimed by the workers. If the money is there, it is not because it is not claimed.

SHRI THAMPAN THOMAS : I mean the money which is not disbursed. Instead of saying 'unclaimed', I will say 'undisbursed'.

SHRI JAGDISH TYTLER : I have just given the amount when the hon. Member asked how much money we have disbursed. If it is not being claimed, what can we do?

Production and Requirement of Quality Seeds

*264. **SHRI P.M. SAYEED :** Will the Minister of AGRICULTURE be pleased to state :

(a) whether there is dearth of quality

seeds in the country leading to low agricultural production ;

(b) if so, the reasons for low availability of quality seeds ;

(c) the extent of shortfall of the quality seeds vis-a-vis the requirement ;

(d) the crops whose production has suffered on this account ; and

(e) the cost of production and selling price of seeds sold by the National Seeds Corporation and the steps taken to make available quality seeds to the farmers at reasonable prices ?

[Translation]

THE MINISTER OF AGRICULTURE (SHRI BHAJAN LAL) : (a) to (e). A Statement is given below.

Statement

(a) Yes, Sir. For some crops like oil-seeds and pulses, there is shortage of certified seeds.

(b) Production of certified seeds involves three stages i.e. breeder, foundation seed and certified seed. That requires three years advance planning. Any adverse seasonal conditions during anyone of the stages of production may have adverse affect on the availability of certified seeds. Successive drought for the last three years has severely impeded seed production and its availability particularly in certain crops like groundnut, soyabean and gram which require a high seed rate.

(c) Details are given in Annexure-I below.

(d) Local arrangements were made for procurement of quality seeds ; hence there was no significant loss in agricultural production due to shortage of seeds.

(e) Details showing the cost of production and sale price of certified seed by the National Seeds Corporation are given in Annexure II below. Seed is distributed through NSC/SFCI/State Departments of Agriculture/13 State Seed Corporations.