

Exploitation of workers and security guards by private agencies

†1129. SHRI BALAVANT ALIAS BAL APTE:

SHRI SHREEGOPAL VYAS:

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

(a) whether private security service agencies are exploiting workers and security guards and committing irregularities in Provident Fund (PF) and Employees State Insurance (ESI) of these workers and guards;

(b) the number of such companies found violating labour and social security laws each year during the last three years and current year, State-wise;

(c) the action taken against said erring companies by Government; and

(d) the details of Provident Fund, ESI and gratuity amount respectively with regard to said companies each year during the last three years and current year, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI HARISH RAWAT): (a) The general compliance of depositing the Provident Fund (PF) and Employees' State Insurance (ESI) dues by private security services/agencies covered under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Employees' State Insurance Act, 1948 in respect of their workers/guards is satisfactory. However, in some cases irregularities in remittances of PF dues have been noticed.

(b) to (d) The details regarding number of companies violating provisions of EPF & MP Act, 1952 for the last three years is given in the Statement-I (*See below*). Details of EPF dues outstanding against such companies for the last three years, are given in the Statement-II (*See below*). Such details of companies for ESI are given in the Statement-III (*See below*). Whenever default by erring companies/establishment is noticed, all actions as per the provisions under the respective Acts are taken. As regards gratuity amount, the State Governments are implementing the Act.

Statement-I

Number of private security service companies violating EPF laws

Sl.No.	State	2006-07	2007-08	2008-09	2009-10
1	2	3	4	5	6
1	Andhra Pradesh	8	10	11	19

†Original notice of the question was received in Hindi.

1	2	3	4	5	6
2	Bihar	1	1	2	3
3	Chhattisgarh	3	1	3	0
4	Delhi	21	30	27	51
5	Goa	4	6	4	5
6	Gujarat	10	20	36	18
7	Haryana	17	18	18	27
8	Himachal Pradesh	2	8	5	3
9	Jharkhand	11	7	8	10
10	Karnataka	62	45	21	32
11	Kerala	2	2	14	4
12	Madhya Pradesh	7	16	9	7
13	Maharashtra	18	18	8	33
14	N-E Region*	0	1	2	1
15	Orissa	11	4	7	10
16	Punjab	26	15	29	17
17	Rajasthan	2	8	14	13
18	Tamil Nadu	30	46	85	73
19	Uttaranchal	1	1	1	5
20	Uttar Pradesh	1	5	4	3
21	West Bengal	18	18	10	9
TOTAL		255	280	318	343

* Includes all North-Eastern States

Statement-II

EPF amount outstanding against defaulting private security service companies

(Rs. in lakhs)

Sl. No.	State	2006-07	2007-08	2008-09	2009-10
1	2	3	4	5	6
1	Andhra Pradesh	5.21	9.34	41.03	912.67
2	Bihar	0.00	0.00	9.70	8.41

1	2	3	4	5	6
3	Chhattisgarh	0.14	0.00	0.00	0.00
4	Delhi	2.24	8.35	8.93	54.58
5	Goa	1.01	1.06	1.27	41.50
6	Gujarat	12.16	246.38	312.13	47.87
7	Haryana	10.86	1.58	371.98	1.00
8	Himachal Pradesh	17.11	0.00	0.00	0.00
9	Jharkhand	0.82	29.70	32.99	33.66
10	Karnataka	49.78	74.21	63.79	291.93
11	Kerala	1.92	51.77	122.11	160.45
12	Madhya Pradesh	4.55	0.00	1.49	1.44
13	Maharashtra	21.55	11.30	18.88	194.96
14	N-E Region*	0.00	2.75	0.07	7.94
15	Orissa	8.60	5.71	10.47	5.46
16	Punjab	0.32	9.46	27.15	1.35
17	Rajasthan	59.90	0.02	15.44	10.24
18	Tamil Nadu	11.43	9.63	108.98	13.97
19	Uttaranchal	0.12	0.33	0.24	0.57
20	Uttar Pradesh	1.63	9.40	77.00	35.39
21	West Bengal	12.56	141.74	4.47	84.65
TOTAL		221.91	612.73	1228.12	1908.04

* Includes all North-Eastern States.

** In respect of some defaulting establishments action u/s. 7A for determination of PF dues is under process and hence the dues has been shown as Nil in some cases.

Statement-III

Details of companies found violating labour and social securities laws

Sl.No.	States	Year	The number of such companies found violating labour and social security laws each year during the last three years and current year	The action taken against said erring companies by the Corporation	The details of ESI amount with regard to said companies each during the last three years and current year, (Rs. Lakhs)
1	2	3	4	5	6
1.	Hyderabad	2007	125	C-18/C-19 have been issued	25.85
		2008	137	C-18/C-19 have been issued	13.76
		2009	164	C-18/C-19 have been issued	50.53
		2010	28	C-18/C-19 have been issued	1.63
2.	Vijaywada & Yenam Visakhapatnam	2007	3	Recovery action has been initiated	5.76
		2008	5	Recovery action has been initiated	3.86

1	2	3	4	5	6
		2009	2	Recovery action has been initiated	0.71
		2010	6	Recovery action has been initiated	1.73
3.	Assam, Meghalaya, Nagaland & Tripura	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
4.	Bihar	2007	08	Prosecution/final Order/ recovery Process initiated	2.48
		2008	03	Prosecution/final Order/ recovery Process initiated	7.83
		2009	04	Prosecution/final Order/ recovery Process initiated	3.42
		2010	01	Inspected and final order passed	1.26
5.	Chhattisgarh		0	0	0
		2007	0	0	0

		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
6.	Delhi	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
7.	Rohini	2007	03	Recovery action initiated	1.37
		2008	02	Recovery action initiated	0.71
		2009	04	Recovery action initiated	4.21
		2010	02	Recovery action initiated	2.61
8.	Okhla	2007	6	C-18 issued	1.93
		2008	8	C-18 issued	19.39
		2009	36	C-18 issued	27.64
		2010	10	C-18 issued	8.14
9.	Goa	2007	0	0	0
		2008	0	0	0

1	2	3	4	5	6
		2009	0	0	0
		2010	0	0	0
10.	Ahmedabad	2007	5	Show Cause Notice (5)	0
		2008	16	Show Cause Notice (16) and Prosecution (9)	0
		2009	53	Show Cause Notice (53) and Prosecution (13)	6.76
		2010	47	Show Cause Notice (47) and Prosecution (12)	0.26
11.	Baroda	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
12.	Surat	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0

13.	Haryana	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
14.	Gurgaon	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
15.	Himachal Pradesh	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
16.	Jammu & Kashmir	2007	Nil	Nil	Nil
		2008	Nil	Nil	Nil
		2009	Nil	Nil	Nil
		2010	Nil	Nil	Nil
17.	Jharkhand	2007	0	0	0

1	2	3	4	5	6
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
18.	Bangalore	2007	48	Revenue recovery proceedings taken	10.34
		2008	70	Revenue recovery proceedings taken	16.93
		2009	54	Revenue recovery proceedings taken	11.11
		2010	59	Revenue recovery proceedings taken	17.43
19.	Hubli	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
20.	Peenya	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
21.	Bomoshandra	2007	0	0	0

		2008	0	0	0
		2009	0	0	0
22.	Kerala, Mahe	2007	Nil	Nil	Nil
		2008	Nil	Nil	Nil
		2009	Nil	Nil	Nil
		2010	Nil	Nil	Nil
23.	Ernakulam	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
24.	Kollam	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
25.	Madhya Pradesh	2007	02	Recovery action is taken	1.77
		2008	06	Recovery action is taken	16.29
		2009	03	Recovery action is taken	0.99

1	2	3	4	5	6
		2010	01	Recovery action is taken	0.31
26.	Mumbai	2007	3	Recovery Certificate Issued	1.02
		2008	4	Notice & Recovery Certificate issued	1.00
		2009	2	SCN and Certificates Issued	16.68
		2010	0	0	0
27	Marol	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
28.	Thane	2007	11	Notice Issued	5.97
		2008	05	Notice Issued	3.84
		2009	08	Notice Issued	10.34
		2010	29	Notice Issued	0.10
29.	Nagpur/Aurangabad	2007	02	C-18/C-19 issued	14.82
		2008	05	C-18/C-19 issued	5.36
		2009	02	C-18/C-19 issued	3.86

		2010	0	0	0
30.	Pune	2007	8	RC Issued	2.36
		2008	10	-do-	6.72
		2009	14	-do-	27.35
		2010	0	0	0
31.	Orissa	2007	12	Recovery as well as prosecution action has been taken	12.91
		2008	16	Recovery as well as prosecution action has been taken	1.08
		2009	8	Recovery as well as prosecution action has been taken	2.14
		2010	11	Recovery as well as prosecution action has been taken	7.76
32.	Puducherry	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
33.	Punjab	2007	26	Assessment of cont. u/s 45 and its recovery u/s 45-C to 45-G of ESI Act	60.01

1	2	3	4	5	6
		2008	18	Assessment of cont. u/s.45 and its recovery u/s 45-C to 45-G of ESI Act	44.45
		2009	35	Assessment of cont. u/s.45 and its recovery u/s 45-C to 45-G of ESI Act	52.48
		2010	11	Assessment of cont. u/s.45 and its recovery u/s 45-C to 45-G of ESI Act	4.51
34.	Ludhiana	2007	0	0	0
		2008	01	Civil action u/s 45© to (i) of ESI Act 1948(as amended)has been taken	0.04
		2009	02	Civil action u/s 45© to (i) of ESI Act 1948(as amended)has been taken	0.02
		2010	01	Civil action u/s 45© to (i) of ESI Act 1948(as amended)has been taken	0
35.	Rajasthan	2007	4	-	3.08
		2008	9	-	9.31
		2009	1	-	0.90
		2010	2	-	31.25

36.	Udaipur	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
37.	Chennai	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
38.	Tirunelveli	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
39.	Salem	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0

1	2	3	4	5	6
40.	Coimbatore	2007	29	0	1.86
		2008	115	SCN Issued/served/criminal actions and recovery action in 7 cases through bank	89
		2009	148	Inspection done in 33	
		2010	174	0	1.49
41.	Madurai	2007	Nil	Nil	Nil
		2008	Nil	Nil	Nil
		2009	Nil	Nil	Nil
		2010	Nil	Nil	Nil
42.	Uttar Pradesh	2007	37	C-18/C-19 issued	11.60
		2008	28	C-18/C-19 issued	4.82
		2009	22	C-18/C-19 issued	9.56
		2010	23	C-18/C-19 issued	14.67
43.	Varanasi	2007	0	0	0
		2008	0	0	0

		2009	0	0	0
		2010	0	0	0
44.	Noida	2007	08	C-18/C-19 Demand letter/Recovery certificate issued	0.64
		2008	36	C-18/C-19 Demand letter/Recovery certificate issued	0.73
		2009	13	C-18/C-19 Demand letter/Recovery certificate issued	0.08
		2010	04	C-18/C-19 Demand letter/Recovery certificate issued	0.06
45.	Uttrakhand	2007	03	Recovery Action initiated	2.67
		2008	05	Recovery Action initiated	5.29
		2009	16	Recovery Action initiated	10.36
		2010	15	Recovery Action initiated	18.50
46.	Barrackpur	2007	19	SCN Issued and Rs. 341121.00 recovered	2.10
		2008	13	SCN Issued and Rs. 280886.00 recovered	0.02
		2009	21	SCN Issued and Rs. 66663.00 recovered	0.20
		2010	4	SCN Issued and Rs. 1163.00 recovered	0.24

1	2	3	4	5	6
47.	Kolkata	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	0
48.	Gulbarga	2007	0	0	0
		2008	0	0	0
		2009	0	0	0
		2010	0	0	1.28
			1722		610.46

*0 stands for the information not received from the concerned regions.