

(b) if so, the measures Government is planning to take for ensuring every fundamental rights of the workers; and

(c) the action taken in the incidents of companies hiring armed guards to browbeat workers in strike for their rights?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) Respective State Governments are the appropriate Government for implementation of labour laws in private Companies. However, labour laws have adequate provisions to safeguard and protect the interest of workers. Also in order to keep pace with the socio-economic changes these laws are updated and amended from time to time so that the interest of workers is protected.

(b) In order to protect the fundamental rights of workers, the Government has enacted various labour legislations and created an Inspectorate whose primary responsibility is to enforce the said legislations and take action against violators. In Central Sphere establishments, the Office of Chief Labour Commissioner is responsible for implementation of most of the labour laws and for State Sphere, the respective State Governments are responsible for implementation of the labour laws.

(c) Hiring of armed guards is *per se* not illegal. However, if they are used for an activity that violates laws, respective appropriate Governments have to take action against such perpetrators.

#### **Bringing Government contractors under PF umbrella**

282. SHRI T.M. SELVAGANAPATHI: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that the Employees' Provident Fund Organisation (EPFO) is considering to bring even the Government contractors under the PF umbrella;

(b) if so, the details thereof;

(c) whether it is also a fact that EPFO is considering to make major changes to the law governing statutory savings; and

(d) if so, the details thereof?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) and (b) The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 applies to such classes of establishment which are notified by Government of India employing 20 or more employees in accordance with provisions under Section 1(3)(b). The Act would also apply to contractors engaged in Government establishment in eligible cases.

However, if the Government contractor is an establishment belonging to or under the

control of Central or State Government and whose employees are entitled to the benefits of contributory provident fund or old age pension in accordance with any scheme or rule framed by such government; the Act shall not apply to such establishment as per Section 16 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

(c) and (d) Comprehensive amendments in the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 as proposed by the Working Group constituted by the Chairman, Central Board of Trustees, Employees' Provident Fund [CBT(EPF)], had been approved by the Board. It is under examination.

#### **Financial irregularity in EPFO**

283. SHRI RUDRA NARAYAN PANY: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that the Comptroller and Auditor General has recently exposed certain irregularity in the financial accounts of Employees' Provident Fund Organisation (EPFO);

(b) if so, the details thereof; and

(c) what are the planning of Government to make the EPFO corruption free?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) and (b) The Comptroller and Auditor General *inter-alia* has made certain observations in the Separate Audit Report on the Accounts of Employees' Provident Fund Organisation (EPFO) for the year ended on 31st March, 2010. The gist of observations is given in Statement (See below).

(c) EPFO is seized of the matter of corruption and has taken the following steps:—

- A detailed circular on combating corruption was issued to standardize operation in the field units and their monitoring by introduction of new revised forms to ensure that inspections are carried out comprehensively and are reflected in quantifiable terms.
- Action against erring officials have been intensified resulting in the number of charge-sheets going up significantly.

In pursuance to para 2.13(v) and 2.13(vi) of the Central Vigilance Commission's Vigilance Manual, a list of Officers of Doubtful Integrity (ODI) has been finalized with the intention that such officers are not posted to sensitive or corruption prone areas. Further, the Organisation has also firmed up the classification of the sensitive and non-sensitive posts and the same has been circulated.