

(d) and (e) Child Labour (Prohibition and Regulation) Act, 1986 prohibits the employment of children below 14 years of age in certain occupations and processes. A Bill to amend the Child Labour (Prohibition and Regulation) Act, 1986 has been introduced in Rajya Sabha in December, 2012, which *inter-alia* provides for making the punishment under the Act more stringent.

#### **Gender Discrimination on wage rates**

1971. SHRIMATI JHARNA DAS BAIDYA: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state :

(a) whether women workers in textile and food processing industries are being discriminated with stagnant wage rates and unhealthy working conditions; and

(b) if so, the measures proposed to impart training to women to upgrade their skills to enable them adapt to changing technology to avoid gender discrimination?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) The Minimum Wages Act, 1948 provides for fixation of minimum wages for different categories of workers, and their periodical revision by the respective State Governments. The Equal Remuneration Act, 1976 provides for equal remuneration for men and women workers. The Acts do not make any distinction on the basis of sex. The Contract Labour (Regulation and Abolition) Act, 1970 and the Rules framed there under provide for various welfare and health measures for such workers.

#### **Private firms avoiding depositing of EPF contribution**

†1972. SHRI MAHENDRA SINGH MAHRA: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the Ministry is aware that private firms in the country including Delhi appoint employees to the post of manager or on other higher posts for meagre salary to avoid their provident fund contribution;

(b) if so, whether private firms are not depositing the amount of Employees' Provident Fund in their accounts;

(c) the provisions for taking action against those who are involved in the abovesaid misdeed and the number of firms against whom action has been taken so far; and

(d) whether the Ministry would contemplate to get all the said facts enquired into, if not, the reasons therefor?

---

†Original notice of the question was received in Hindi.

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA): (a) and (b) Employees' Provident Fund Organisation (EPFO) is concerned with ensuring deposit of contribution by the establishments, both public sector and private sector covered under the Employees' Provident Funds and Miscellaneous Provisions (EPF & MP) Act, 1952 on the wages disbursed by them. Instances have come to the notice of EPFO where private firms covered under the EPF & MP Act, 1952, including those in Delhi, failed to deposit Provident Fund in respect of their workers.

(c) The following actions as provided under the EPF and MP Act, 1952 and the Schemes framed thereunder are taken against the defaulting establishments:

- (i) For quantification of dues payable by the employers/establishments (both public sector and private sector), proceedings under Section 7A of the Act are initiated. During the period from 1st April, 2014 to 31st December, 2014, 10,481 Section 7A enquiries have been initiated.
- (ii) For belated remittance of dues, damages are levied under Section 14B of the Act and interest is levied under Section 7Q of the Act. During the period from 1st April, 2014 to 31st December, 2014, 1,71,001 Section 14B enquiries have been initiated.
- (iii) For recovery of dues due from the employers/establishments, recovery actions are taken as provided under Section 8B to 8G of the Act which comprise attachment and sale of movable and immovable property of the establishment or of the employer; appointment of receiver for management of the movable and immovable properties of the establishment/employer; and arrest of the employer and his detention in civil prison.
- (iv) Prosecution actions under Section 14 of the Act are initiated for non-deposit of dues and non-submission of returns. During the period from 1st April, 2014 to 31st December, 2014, 1064 prosecution cases have been filed.
- (v) Complaints under Section 406/409 of Indian Penal Code (IPC) have been filed with police authorities for deduction of provident fund contribution from the salaries of the employees and non-deposit of the same which tantamount to criminal breach of trust. During the period from 1st April, 2014 to 31st December, 2014, 157 such complaints have been filed with police authorities.

(d) As per provisions under the EPF and MP Act, 1952, contributions are deducted from the wages (upto the statutory wage ceiling of ₹ 15,000/-) of the employees irrespective of their holding of posts.