

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA**

**UNSTARRED QUESTION NO. 69  
TO BE ANSWERED ON 04.02.2019**

**PROCEDURE FOR RECOVERY OF OUTSTANDING AMOUNT**

**†69. SHRI RAJU SHETTY:**

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

- (a) the details of the criteria/guidelines/procedure related to recovery of the outstanding amount including the amount of Employee's Provident Fund (EPF) and Employee's State Insurance (ESI) and their dues from the closed companies/units in the country;**
- (b) the details of the amount not recovered from such industries/companies in the country so far, State/UT-wise; and**
- (c) the steps taken to recover the said amount along with the amount recovered during each of the last three years and the current year, State/UT-wise?**

**ANSWER**

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT  
(SHRI SANTOSH KUMAR GANGWAR)**

**(a) & (b): As regards Employees' Provident Fund (EPF), the Provident Fund dues of the closed establishment are recovered in the manner specified under Section 8B to 8G of the Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952 which include:-**

- (i) Attachment and sale of the movable or immovable property of the establishment or, as the case may be, the employer;**
- (ii) Arrest of the employer and his detention in civil prison;**
- (iii) Appointing a receiver for the management of the movable or immovable properties of the establishment or, as the case may be, the employer.**

**Contd..2/-**

**The list of State/UT-wise amount not recovered from the closed establishments under EPF is at Annexure-I.**

**As regards Employees' State Insurance (ESI), the recovery of outstanding amount to ESIC is made as per the procedure laid down under section 45-C to 45-I of the ESI Act, 1948.**

**The details of the criteria / guidelines / procedure related to recovery of ESI dues from the closed companies / unit is as under:- If employer fails/refuses to respond to ESI notices then recovery of ESI dues is made through garnishee, attachment of bank account / movable assets and receivership, sale of immovable assets of the defaulter / closed units.**

**The list of State/UT-wise detail of the amount not recovered in the country so far, from the closed industries / companies under ESI is at Annexure – II.**

**(c): As regards EPF, by taking steps mentioned in reply to part (a) of the Question above, the State/UT-wise list of the recovered amount during each of the last 3 years and current year under EPF is at Annexure-III.**

**As regards ESI, steps to recover the dues from the closed companies/units:-**

**In case of company/unit being closed, the Regional Director / Joint Director I/c arranges the delivery of Notice through SSO / Branch Manager by way of affixing the notice at prominent places of the premises of the said defaulter. The process is witnessed by someone and report of service is sent to Regional Office/Sub-regional office.**

**The list of State/UT-wise detail of the amount recovered from the closed companies / units during each of the last 3 years and current year under ESI is at Annexure – IV.**

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**Annexure-I**

Annexure referred to in reply to Parts (a) & (b) of Lok Sabha Unstarred Question No. 69 for 04.02.2019 raised by Shri Raju Shetty regarding "Procedure for Recovery of Outstanding Amount".

<b>State/UT-wise list of amount not recovered from Closed Establishments under EPF as on November, 2018.</b>	
<b>State/UT</b>	<b>Amount in Rs. crores</b>
Andhra Pradesh	4.51
Bihar	20.10
Chhattisgarh	3.45
Delhi	9.28
Goa	0.17
Gujarat	49.14
Himachal Pradesh	0.87
Jharkhand	19.43
Karnataka	75.07
Kerala & Lakshadweep	17.96
Maharashtra	193.35
Madhya Pradesh	93.55
North Eastern Region (NER)	8.07
Odisha	56.62
Punjab & Chandigarh	37.25
Rajasthan	1.06
Tamil Nadu & Puducherry	87.17
Telangana	24.88
Uttar Pradesh	96.97
Uttarakhand	35.03
West Bengal & Andaman & Nicobar Islands & Sikkim	872.51
<b>Total</b>	<b>1706.44</b>

## Annexure-II

Annexure referred to in reply to Parts (a) & (b) of Lok Sabha Unstarred Question No. 69 for 04.02.2019 raised by Shri Raju Shetty regarding "Procedure for Recovery of Outstanding Amount".

<b>State/ UT-wise detail of the amount not recovered in the country so far, from the closed industries / companies under ESI.</b>		
<b>S. No.</b>	<b>Name of the State / UT</b>	<b>Amount Rs. in lakhs</b>
1	ANDHRA PRADESH	1388.45
2	ASSAM, MEGHALAYA AND TRIPURA	200.8
3	BIHAR	160.63
4	CHHATTISGARH	110.87
5	DELHI	1091.69
6	GOA	176.76
7	GUJARAT, DADRA & NAGAR HAVELI AND DAMAN & DIU	449.94
8	HARYANA	779.24
9	HIMACHAL PRADESH	29.17
10	JAMMU & KASHMIR	39.84
11	JHARKHAND	525
12	KARNATAKA	1777.89
13	KERALA AND LAKSHADWEEP	144.6
14	MADHYA PRADESH	785.9
15	MAHARASHTRA	546.5
16	ODISHA	846.23
17	PUDUCHERRY, ANDAMAN AND NICOBAR	203.41
18	PUNJAB	712.17
19	RAJASTHAN	761
20	TAMIL NADU	9293.93
21	TELANGANA	245.07
22	UTTAR PRADESH	364.23
23	UTTARAKHAND	802
24	WEST BENGAL	2538.79
<b>Total</b>		<b>23974.11</b>

**Annexure-III**

Annexure referred to in reply to Part (c) of Lok Sabha Unstarred Question No. 69 for 04.02.2019 raised by Shri Raju Shetty regarding "Procedure for Recovery of Outstanding Amount".

<b>State/UT-wise list of recovered amount (in Rs. crores) during last 3 years &amp; current year from the Establishments under EPF as on November, 2018.</b>				
<b>State/UT</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Andhra Pradesh	0.17	170.65	0.04	0.04
Bihar	0	1.19	0	0.27
Chhattisgarh	7.78	0.76	0.48	0.06
Delhi	4.52	28.06	3.61	1.37
Goa	0.01	0	0.10	0.04
Gujarat	2.76	3.99	3.09	4.19
Himachal Pradesh	0	0.37	0.09	0.10
Jharkhand	0	0	1.01	0.32
Karnataka	5.07	4.35	30.34	24.33
Kerala & Lakshadweep	1.20	2.28	1.38	0.44
Madhya Pradesh	0	0.05	0.42	0.26
Maharashtra	85.75	289.62	57.34	36.01
North Eastern Region	0.07	0.05	0.05	0.02
Odisha	0.26	2.98	4.27	1.33
Punjab & Chandigarh	0	2.01	1.94	0.82
Rajasthan	0	0.10	0.06	0
Tamil Nadu & Puducherry	3.53	9.66	6.05	10.43
Telangana	2.96	1.61	4.42	2.23
Uttar Pradesh	21.73	0.69	5.11	8.83
Uttarakhand	0.16	2.47	0	0
West Bengal & Andaman & Nicobar Islands & Sikkim	160.53	130.42	178.08	57.48
<b>TOTAL</b>	<b>296.50</b>	<b>651.31</b>	<b>297.88</b>	<b>148.57</b>

**Annexure-IV**

Annexure referred to in reply to Part (c) of Lok Sabha Unstarred Question No. 69 for 04.02.2019 raised by Shri Raju Shetty regarding "Procedure for Recovery of Outstanding Amount".

**State / UT-wise detail of the amount (in Rs. lakhs) recovered from the closed companies / units during each of the last 3 years and current year (upto December, 2018) under ESI.**

<b>S. No.</b>	<b>Name of the State / UT</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
1	ANDHRA PRADESH	0.00	0.00	0.00	5.15
2	ASSAM, MEGHALAYA AND TRIPURA	0.00	0.00	0.00	0.00
3	BIHAR	0.10	0.06	0.01	0.02
4	CHHATTISGARH	0.00	0.00	0.00	0.00
5	DELHI	14.01	0.00	51.73	.035
6	GOA	0.00	0.00	0.00	0.00
7	GUJARAT, DADRA & NAGAR HAVELI AND DAMAN DIU	86.90	64.55	92.47	139.12
8	HARYANA	1.61	2.15	8.05	2.70
9	HIMACHAL PRADESH	0.71	0.03	1.00	0.08
10	JAMMU & KASHMIR	0.00	0.00	2.54	0.00
11	JHARKHAND	6.20	8.30	4.43	6.61
12	KARNATAKA	18.02	2.53	4.44	6.05
13	KERALA AND LAKSHADWEEP	1.94	1.59	1.75	30.99
14	MADHYA PRADESH	24.22	18.00	9.76	6.00
15	MAHARASHTRA	103.89	70.64	54.55	41.22
16	ODISHA	0.00	23.15	0.00	0.00
17	PUDUCHERRY, ANDAMAN AND NICOBAR	0.97	0.44	0.00	1.35
18	PUNJAB	28.82	20.00	11.39	7.57
19	RAJASTHAN	17.49	38.94	33.17	16.62
20	TAMIL NADU	289.97	18.35	104.93	74.08
21	TELANGANA	0.00	0.00	31.59	0.00
22	UTTAR PRADESH	0.00	0.00	0.00	0.00
23	UTTARAKHAND	87.35	11.46	30.00	6.59
24	WEST BENGAL	0.00	0.00	7.54	0.00
	<b>Total</b>	<b>682.2</b>	<b>280.19</b>	<b>449.35</b>	<b>344.19</b>

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