

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA  
UNSTARRED QUESTION NO. 223  
TO BE ANSWERED ON 30.11.2015**

**EPF DEFAULTERS**

**223. SHRI K. ASHOK KUMAR:**

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

- (a) whether the Employees Provident Fund Organisation (EPFO) has launched prosecution cases against defaulting employers for non-submission of returns on time;**
- (b) if so, the details thereof during each of the last three years and the current year;**
- (c) whether the EPFO has also asked its Regional Offices to take stringent action against such defaulting employers; and**
- (d) if so, the details of action taken in this regard?**

**ANSWER**

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT  
(SHRI BANDARU DATTATREYA)**

**(a) & (b): Yes, Madam. Prosecution is launched by Employees' Provident Fund Organisation (EPFO) if the establishments violate the provisions of Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952.**

**The details of number of prosecution cases filed by EPFO during the last three years and the current year are as under:-**

<b>Year</b>	<b>No. of Prosecution Cases</b>
<b>2012-13</b>	<b>317</b>
<b>2013-14</b>	<b>414</b>
<b>2014-15</b>	<b>1491</b>
<b>Current Year upto September, 2015</b>	<b>1401</b>

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**(c) & (d): Regional Offices of EPFO are required to take action against defaulting establishments by causing inspection for securing compliance and launching other stringent action as given below:**

- i. Action under Section 7A of the EPF & MP Act, 1952 for quantification of Provident Fund dues and raising demand against defaulters.**
- ii. Recovery action as provided under Section 8B to 8G of the EPF & MP Act, 1952.**
- iii. Action under Section 14 for prosecution of defaulters before the court of law.**
- iv. Action under Section 14B for levying penal damages for belated remittances.**
- v. Action under Section 7Q for levy of interest for belated remittances.**
- vi Action under Section 406/409 of Indian Penal Code (IPC) for non-payment of employees' share deducted from the wages but not deposited.**

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