

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:4562

ANSWERED ON:25.04.2005

HARASSMENT OF EMPLOYERS OF FACTORY BY INSPECTORS

Gaikwad Shri Eknath Mahadeo;Mandlik Shri Sadashivrao Dadoba;Singh Shri Kirti Vardhan

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

(a) whether any policy exists to eliminate the uncontrolled visit of inspectors to small scale and medium factories establishments without written complaints from aggrieved workers/trade unions;

(b) if so, whether any exception has been made to labour Ministry, EPF/ESI inspectors to visit such factories at their own without sufficient recorded complaints;

(a) if so, whether any representations alleging harassment to employers have been received from various industry associations/chambers of Industry in this regard;

(b) if so, the details thereof; and

(c) the action taken/proposed to be taken by the Government to ensure avoidance of harassment to employers in the hands of EPF/ESI inspectors in the name of inspection?

Answer

MINISTER OF LABOUR AND EMPLOYMENT (SHRI K. CHANDRASEKHAR RAO)

(a) & (b): According to inspection policy in vogue in the Employees State Insurance Corporation, the inspections are conducted in the cases of defaulting employers, in complaint cases and in the cases of major employers employing 250 employees and more. Inspections in these cases are conducted with the approval of the Regional Heads. The policy is in operation w.e.f. 01.04.2001. Prior intimations to the employers are given excepting where there are serious complaints warranting surprise visits. Similarly in case of EPFO no routine inspections are conducted by the Enforcement Officers of Employees' Provident Fund Organisation in respect of establishments fully complying with the provisions of the Employees' Provident Fund & Miscellaneous Provisions Act, 1952. However, the Enforcement Officers are deputed to non-complying establishments or establishments against which specific complaints are received, on authorization by the Assessing Officers.

(c) to (e): The ESI and EPF inspections conducted are only need based, depending on the level of compliance by the establishments. Such inspections for securing compliance should not be considered as harassment to employers.