



**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM**

Present: Shri.V.Vijaya Kumar, B.Sc., LLM, Presiding Officer.

(Thursday the 22<sup>nd</sup> day of April, 2021)

**Appeal No.25/2021**

Appellant : M/s.Marthoma Public School  
Edachira, Thengode P.O.  
Ernakulam – 682030

By Adv.C.B.Mukundan

Respondent : The Regional PF Commissioner  
EPFO, Regional Office, Kaloor  
Kochi - 682017

This case coming up for admission on 22.04.2021 and the same day this Tribunal-cum-Labour Court passed the following:

**ORDER**

According to the learned Counsel for the appellant the impugned order is issued U/s 7A/7B of the Act. There is delay. The delay condonation application is allowed and the delay is condoned.

According to the learned Counsel for the appellant, the assessment U/s 7A/7B of the EPF & MP Act is made on excluded employees and contract employees engaged by the appellant.

However on perusal of the impugned order U/s 7B of the Act, it is seen that the same issue was raised before the respondent authority and the respondent authority rejected the same. The learned Counsel for the appellant also pleaded that the appellant is a school run by a charitable society and therefore shall not be compelled to remit 75% of the assessed dues as a precondition for admission U/s 7(O) of the Act.

Considering the fact that the appellant is a school and also considering the financial difficulties pleaded by the learned Counsel, the appellant is directed to deposit 40% of the assessed dues with the respondent within three weeks from today. Subject to the remittance of 40% of the assessed dues U/s 7(O) of the Act, the appeal is admitted and the impugned order is stayed until further orders.

Issue notice to the respondent. Adjourned and posted to 18.06.2021 for appearance and counter.

Sd/-

(V. VIJAYA KUMAR)  
Presiding Officer