



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

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

(Tuesday the 29th day of June, 2021)

Appeal No.29/2021

Appellant : The Joint Secretary
M/s.Sree Saraswathy Vidhyalayam
Senior Secondary School
Ooruttambalam
Trivandrum - 695507

By Adv.Anil Narayan

Respondents : 1. The Assistant PF Commissioner
EPFO, Regional Office, Pattom
Trivandrum - 695004
2. The Recovery Officer
EPFO, Regional Office, Pattom
Trivandrum - 695004

This case coming up for admission on 29.06.2021 and the same day this Tribunal-cum-Labour Court passed the following:

ORDER

The appeal is filed from an order issued U/s 7A of the Act assessing regular dues and also against non enrolled employees. According to the learned Counsel for the appellant the Sec 7A enquiry was conducted in gross violation of statutory provision. He further contented that the non enrollment issue ought to

have been decided in enquiry under Para 26A of the EPF Scheme. The Counsel also submitted that the appellant school is facing lot of financial difficulties due to the prevailing pandemic situation.

The appellant does not have a strong prima facie case. However considering the financial difficulties pleaded by the learned Counsel for the appellant the pre-deposit U/s 7(O) of the Act is reduced to 40% of the assessed dues.

The appeal is admitted subject to remittance of 40% of the assessed dues within a period of 4 weeks from today. Subject to above the impugned order is stayed until further order. The appellant shall produce proof of pre-deposit on or before the next date of post.

Adjourned to 30.07.2021 for counter. Issue notice to the respondent.

Sd/-

(V. VIJAYA KUMAR)
Presiding Officer