



सत्यमेव जयते

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

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

(Wednesday the 1st day of September, 2021)

APPEAL No.679/2019

(Old no.430(7)2012)

Appellant : Mahatma Gandhi University
Priyadarshini Hills P.O.
Kottayam - 686560

By Adv.Asok M. Cherian

Respondent : The Regional PF Commissioner
EPFO, Sub Regional Office
Thirunakkara
Kottayam - 686001

By Adv.Joy Thattil Ittoop

This case coming up for final hearing on 01.09.2021 and the same day this Tribunal-cum-Labour Court passed the following:

ORDER

Present appeal is filed from daily order sheet no.KR/KTM/20185/7A/2012 dt.23.04.2012 U/s 7A of EPF & MP Act, 1952 (hereinafter referred to as 'the Act') deciding the applicability of the provisions of the Act to M.G. University and self financing institutions.

2. According to the appellant, the appellant establishment is not coverable under the provisions of the Act in view of Sec 16 of the said Act. It is seen that the appellant establishment was covered under the provisions of the Act and since there was no compliance the respondent initiated action U/s 7A of the Act to assess the dues. The appellant raised the question of applicability before the 7A authority. In the impugned order the respondent authority stated that the coverage of the appellant establishment is challenged by the appellant before the Hon'ble High Court of Kerala in W.P.(C) no.16648/2005. The Hon'ble High Court held that the Act was applicable to the self financing institutions of the University and hence the dispute regarding coverage of these institutions is beyond the scope of the enquiry. It was only an interim direction and no final order is seen to have been issued by the respondent in this regard.

3. After completion of the pleadings the appeal was taken up for hearing. The learned Counsel for the respondent attended the hearing and produced an order no.U.O. No.3069/SFI/2014/Admin dt.16.06.2014 on the basis of a decision taken by the Syndicate at its meeting held on 30.05.2014. It is seen from the above order that the appellant university has decided to implement the provisions of the Act and Schemes thereunder for self financing institutions and it was also decided to withdraw this appeal.

4. Since the appellant decided to accept the coverage under the provisions of the Act and comply with the provisions by extending social security benefits to its employees from the due date of eligibility, nothing remains in this appeal to be adjudicated.

Hence the appeal is dismissed.

Sd/-
(V. Vijaya Kumar)
Presiding Officer