



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

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

(Wednesday the 15th day of September, 2021)

Appeal No.771/2019

Appellant : M/s.Kanayannur Co-operative
Agricultural & Rural
Development Bank Ltd
Palarivattom
Kochi – 682025

By Adv.M.M.Monaye

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

By Adv.Sajeevkumar K. Gopal

This case coming up for admission on 15.09.2021 and the same day this Tribunal-cum-Labour Court passed the following:

ORDER

Heard the Counsels. The impugned order is issued U/s 7A of the Act deciding the applicability of the Act and also assessing the dues. According to the Counsel for the appellant, the appellant establishment is not a Bank as per Sec 3 of Banking Regulations Act. However as per the impugned order, the appellant

establishment is stated to be covered under the scheduled head “ Banks other than nationalized Bank established under any Central or State Act”. The learned Counsel also point out that the decision of **M/s.Mansa Nagrik Sahakari Bank** relied on by the respondent authority is not applicable to the appellant as Mansa Nagrik Sahakari Bank is a non scheduled urban co-operative Bank as per RBI notification. According to the respondent, the appellant establishment is a Co-operative society working with aid of power and the appellant establishment is coverable once the employment strength reached 20. The learned Counsel for the respondent relied on the decision of **Mowanchery Co-operative Rural Bank Ltd Vs APFC**, W.A.no.2522/2017

There is a serious dispute regarding the applicability of the Act. Hence the appeal is admitted waiving the pre-deposit U/s 7(O) of the Act. The impugned order is also stayed until further orders.

Adjourned to 10.11.2021 for counter.

Sd/-

(V. VIJAYA KUMAR)
Presiding Officer