



सत्यमेव जयते

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

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

(Monday the 26<sup>th</sup> day of July, 2021)

**APPEAL No.257/2019  
(Old no.464(7)2016)**

Appellant : M/s.K.R.Gouri Amma College  
of Engineering for Women  
Valamangalam P.O.  
Alappuzha - 688532

By Adv.R. Sankarankutty Nair

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

By Adv.Sajeev Kumar K. Gopal

This case coming up for final hearing on 09.07.2021 and this Tribunal-cum-Labour Court on 26.07.2021 passed the following:

**ORDER**

Present appeal is filed from order no.KR/KCH/ENQUIRY/27199/2015/16422 dt.01.02.2016 assessing dues U/s 7A of the EPF & MP Act, 1952 (hereinafter referred to as 'the Act') for the period from 07/2013 to 07/2015. The total dues assessed is Rs.5,53,943/-.

2. The appellant is a self financing unaided college for women and is covered under the provisions of the Act. The college was running with sufficient number of students in the beginning and consequent on starting of new self financing Engineering Colleges in the near locality, the revenue income of the appellant establishment started going down. The teachers and staff of the college were not willing to contribute to provident fund. However depending on the availability of funds, the appellant was remitting the contribution. The Enforcement Officer who conducted the inspection of the appellant establishment submitted Annexure A2 enquiry report and directed the appellant to remit the contribution. Since the appellant had some serious disputes regarding the inspection report, the appellant did not remit the contribution. The respondent initiated enquiry U/s 7A of the Act and issued the impugned order.

3. The respondent filed counter denying the above allegations. According to the respondent, the Enforcement Officer who conducted inspection of the appellant establishment found that 21 employees were not enrolled to the fund and therefore directed the appellant establishment to enroll the employees and also remit the contribution. Since the appellant failed to remit the contribution, an enquiry U/s 7A of the Act was initiated. In the

enquiry the representative of the appellant admitted the liability and the impugned orders were issued.

4. When the appeal was taken up for final hearing, the learned Counsel for the appellant submitted that the appellant establishment is exploring the possibility of remitting the contributions as per the impugned order and requested for some time to confirm remittance. The matter was again taken up on 24.06.2021 and 09.07.2021. The learned Counsel for the appellant submitted that the appellant establishment is remitting the contribution as per the impugned order taking into account the welfare of the employees.

5. Considering the fact that the appellant is not disputing the quantification of dues in the impugned order, there is no reason to interfere with the impugned order.

Hence the appeal is dismissed.

Sd/-

(V. Vijaya Kumar)  
Presiding Officer