

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT, DELHI**

Appeal no. D-1/17/2025

M/s. Delhi Jan Sudhar Samiti

....Appellant

Through:- Sh. Prakash Kumar, Ld. Counsel for the appellant.

Vs.

APFC, Delhi (North)

.....Respondent

Through:- Sh. K.K. Jha, Ld. Counsel along with Sh. Sunil Ranjan, AR for the respondent.

Oral:-

Order Dated:- 09.12.2025

Record perused. The matter is listed today for arguments on the application seeking stay on execution of the impugned orders. At the outset, the Ld. Counsel for the appellant has stated that he has already deposited the interest component and the present appeal is filed only against the order passed under section 14B of the **Employees' Provident Funds & Misc. Provisions Act, 1952 (Hereinafter referred to as 'the Act')**. He further submitted that he doesn't wish to press his appeal under section 14B of the Act, but seeks permission to deposit the amount of damages in instalment. In this regard, he seeks permission to pay an amount of Rs. 21,34,235/- in 18 instalments.

The Ld. Counsel for the respondent has raised no objection to the said plea; however, he submitted that the appellant be directed to pay the amount in six instalments only.

Before proceeding further, the brief facts of this appeal are required to be reproduced. The appellant is a society registered under the Societies Registration Act, 1860. It is covered under the provisions of the Act vide EPF code no. DS/SHD/2318268. It was engaged in providing manpower to the Delhi Urban Shelter Improvement Board (DUSIB), basically for repairing, maintenance, and housekeeping services at public toilets in Delhi. The appellant submitted that everything was

going smoothly, however, the problem started in the year 2021 when the principal employer, i.e., DUSIB completely stopped giving the payments. For some time, the affairs of the society were managed through the amount taken on loan from the friends and relatives but after some time the financial situation of the society became very bad and it was unable to pay salary to its manpower.

It is further submitted that on 06.03.2025, the appellant received a call from the office of the respondent directing it to deposit damages amounting to Rs. 21,34,235/- without any order having been served upon the firm. The appellant immediately contacted the department on 07.03.2025 and enquired about the reason, then it was informed about the impugned order dated 21.10.2024. It is further submitted that due to the poor financial condition, it failed to remit the Provident Fund contributions of its employees in time, and the default was neither deliberate and nor intentional.

Considering the fact that PF contributions were in fact deposited by the appellant, though belatedly, the entire amount of interest has already been deposited, and the submission of the appellant that it is ready to pay the damages, the appeal stands disposed of as dismissed.

So far so the prayer of the appellant for payment of damages in instalments is concerned, the same is allowed. The appellant is allowed to make payment of rupees 1,50,000/- per month on or before 10th of every month starting from 10.01.2026, till the entire amount has been recovered. In case of default of any two consecutive instalments, the respondent shall be at liberty to recover the entire amount. The office is directed to send the copy of this order to both the parties through email. The record of this appeal is consigned to record room.

Sd/-

(Atul Kumar Garg)
Presiding Officer