

IN THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
GUWAHATI, ASSAM.

Present: - Smt. Indira Barman, M.A., LL.B.,
Presiding Officer,
CGIT-Cum-Labour Court, Guwahati.

E.P.F. A. No. 04/2025.

The Ranibari Tea Company Ltd., (owner of Ranibari Tea Estate) Agartala.Appellant.

-Vrs-

The Regional Provident Fund Commissioner-II, Employees Provident Fund Organisation, Regional
Office, Agartala, Airport Road, Near Bholagiri Ashram, Gorkha Basti, PO- Kathal Bagan (Tripura),
Agartala-799006.OP/Respondent.

REPRESENTATIVE:

Mr. S.P. Tewary, Ld. Advocate for the Appellant.

Ms. Shoma Dasgupta, learned advocate for the OP/Respondent.
Ms. Supriya Dasgupta, learned advocate.

02-04-2026

The appellant is appeared through Mr. S.P. Tewary, Ld. Advocate along with authorised representative Sri Jagmohan Kothari, the Manager, Accounts & Finance, Ranibari Tea Co. Ltd. The OP/Respondent is represented through Ms. Shoma Dasgupta and Ms. Supriya Dasgupta, learned advocates.

The Appeal has preferred by the authorised representative Sri Jagmohan Kothari, the Manager, Accounts & Finance, Ranibari Tea Co. Ltd., through Mr. S.P. Tewary, learned Advocate u/s 7-I of the Employees' Provident Fund & Miscellaneous Provisions Act, 1952. Memo of Appeal has been presented in triplicate on 06-06-2025 along with a Bank Draft No.029191 dated 02-06-2025 of ₹ 2,000/- in favour of the Registrar, CGIT. It appears that Rule 4 of EPF Appeal Tribunal (Procedure) Rules 1997 has been complied.

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Seen the scrutiny report submitted by the Registrar and perused the record. Considered. It appears to me that the Appeal has been preferred against the order No.NE/AGT/562/000/Inf 501/Damages/PD-343 dated 02-04-2025 passed by the Regional Provident Fund Commissioner-II, Regional office, Agartala against the appellant in respect of levy of damages under section 14-B and interest under section 7-Q of the Employees Provident Fund and Misc. Provisions Act,1952, whereby the Appellant was directed to deposit a sum of ₹ 14,89,475/- which is the sum total of the penal damage amounting to ₹ 9,74,281/- payable under section 14-B and interest amount of ₹ 5,15,194/- payable under section 7-Q of EPF and MP Act,1952 for the period from 01-06-2018 to 31-03-2021 pertaining to various wage month for the period from 04/2018 to 08/2020.

A separate application also has been filed by the appellant for condonation of delay submitting that the copy of order dated 02-04-2025 was received by the appellant side on 12-04-2025. It is stated that Sri Jag Mohan Kothari, Manager of Account & Finance of the appellant company has been appearing before the Regional Provident Fund Commissioner, Agartala in connection with Provident Fund matter and only on 20-04-2025 he was entrusted for filing this appeal. Accordingly, the said Manager handed over the relevant papers to the learned Advocate on 26-04-2025 and on 30-04-2025 the said learned Advocate held the conference with the said Manager of the appellant asking some documents to file the appeal which were handed over to him only on 07-05-2025. It is further submitted that the learned Advocate for the appellant after drafting the appeal on 20-05-2025, sent the same to the appellant for approval which was sent back to the learned Advocate on 30.05.2025 after making necessary corrections and on 04.06.2025 after the appeal being ready to file, got it signed on 06.06.2025 and filed on the same day i.e. on 06.06.2025. Hence, prayed for condonation of delay in filing the appeal beyond the period of 60 days and within extended period of limitation.

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Heard learned Counsel for both sides.

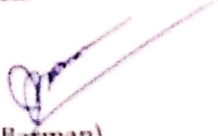
Sufficient cause has been explained for delay caused in filing the appeal within prescribed period. Thus, reasons explained are accepted. Delay in filing the appeal is condoned.

Learned Counsel for the appellant prayed for admitting the appeal and to quash and set-aside the impugned orders dated 02-04-2025 passed by the RPFC-II, Agartala and also prayed not to proceed further any legal action or for recovery of amount or attach the bank account or otherwise against the appellant till the disposal of this appeal.

Heard the submission of the learned advocate for both sides. Appeal is admitted. In the meantime, no coercive action shall be taken by the respondent against the Appellant. A copy of order be communicated to the parties.

Sri Jagmohan Kothari, the Manager, Accounts & Finance, Ranibari Tea Co. Ltd. submitted supplementary affidavit today stating that during pendency of the appeal, the RPFC-II, Agartala issued prohibitory and/or attachment order dated 10-03-2026 under section 8F (3)(X) of the EPF&MP Act,1952 to the Branch Manager, IDBI Bank, Kolkata directing to pay a sum of ₹ 14,89,475/- being the damages and interest under section 14B and 7Q within 3 days. It is stated in the affidavit that due to the said attachment of Company's Bank account, the company is facing immense difficulty in making payment of wages and salaries of the employees, electricity charges, medical expenses, ration, provident fund dues and other essential expenses for running the said tea estate. Hence, prayed for stay of the said order, otherwise grave crisis will occur and the employees will have to face starvation. Heard the learned advocates for both sides on the supplementary affidavit. The order dated 10-03-2026 issued under section 8F (3)(X) of the EPF&MP Act,1952 is hereby stayed till the next date.

Fix 09-06-2026 for hearing on supplementary affidavit filed by the appellant and filing reply of appeal, if any by the Respondent


(Indira Barman),
Presiding Officer,
CGIT-Cum-Labour Court, Guwahati.