

**Order dated 25.5.2016, passed by the Tribunal in ATA No. 603 (5) /2016 in the case of
Daman Ganga Papers Pvt. Ltd., vs. APFC, Vapi.**

EMPLOYEES PROVIDENT FUND APPELLATE TRIBUNAL
NEW DELHI

ATA No. 603 (5) 2016

Daman Ganga Paper Pvt. Ltd. Appellant

Vs.

APFC, Vapi. Respondent

ORDER Dated: 25.5.2016

Present :

Shri S.P. Singh, Advocate for the Appellant

Ms.Anindita Pujari, Advocate for the Respondent.

The present appeal filed by appellant under section 7-I of the Employees' Provident & Miscellaneous Provisions Act, 1952 (here-in-after shall be referred as the Act) against the order 22.03.2016 (in short impugned order) passed by the respondent u/s 7A of the Act.

At this stage counsel for appellant submitted that entire assessed amount already recovered by respondent illegally without following the provisions of the law, so there is no requirement for pre-deposit.

As per case of appellant, assessed amount already recovered / attached, so there is no requirement of pre-deposit amount. However, impugned order was passed by respondent on 22.3.2016 and within 7 days, assessed amount was recovered without affording any opportunity to the appellant establishment, raising objections against impugned order. It seems that respondent has not adhered the provisions of Section 8B of the Act. Accordingly, respondent Sh. R.K. Parakh, Assistant Provident Fund Commissioner shall appear in person on 08.09.2016 along with his written explanation why he is not adhering for provisions of the law and why departmental proceedings should not be recommended against him. Counter reply, if any be also filed on that date.