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- ❖ Matters of coverage under ESI Act to be withdrawn and be dealt with under the Amnesty Scheme, 2025. AP HC 1336
- ❖ It is the right of the employer to reduce the age of super-annuation of an employee from 60 to 58 years. Bom. HC 1320
- ❖ Only the contractor employing building workers and not the principal employer will be liable to pay cess. Telan. HC 1313
- ❖ Union's espousal, in the larger interest of workmen, is legal even if the workman was not a member. Bom. HC 1305
- ❖ Forfeiture of gratuity is proper when the employee showed lack of care, caution and reasonable judgment. Cal. HC 1317
- ❖ No liability of occupier/manager when the accident was due to the negligence of the deceased worker. Chhatt. HC 1325
- ❖ Assaulting teachers and other security staff by the workmen in front of students justifies dismissal. P&HHC 1315
- ❖ It is mandatory for Police and labour authorities to take action when the establishment had to close down because of illegal strike. Gau. HC 1332
- ❖ Gratuity of an employee cannot be forfeited on retirement even if he failed to pay loan amount. On. HC 1323

- ❖ Labour Court's order referring to union's arguments and not that of management is liable to be set aside. Del. HC 1300
- ❖ No accident compensation in absence of subsistence of work and employer-employee relationship. Bom. HC 1334
- ❖ Misappropriation of subsidy by a bank employee is a grave misconduct justifying dismissal. All. HC 1309
- ❖ Any demand raised by ESI Authorities after five years is not sustainable. Bom. HC 1329
- ❖ Widowed sister is not a dependent and cannot seek any accident compensation. Supreme Court 1299
- ❖ Only an establishment actually employing building workers is covered under the BOCW Cess Act. Telan. HC 1313
- ❖ No forfeiture of gratuity before quantifying the loss suffered by the employer. Cal. HC 1317
- ❖ Enquiry before termination is mandatory even if criminal prosecution was pending against the workman. Bom. HC 1305
- ❖ Defence that no loss was caused to the employer owing to employee's misconduct is unacceptable. All. HC 1309

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- ❖ EPF authorities cannot take any coercive action till the disposal of the appeal by the Tribunal. Cal. HC 1350
- ❖ If appeal against levy of damages is allowed, order passed w.r.t. payment of interest will go. Chhatt. HC 1360
- ❖ Court can restore appeal before CGIT subject to costs and other conditions. Del. HC 1338
- ❖ Damages and interest for default not justified when suffered continuous losses. Karn. HC 1344
- ❖ Establishment's defence of not having old record is valid when challenge was initiated by EPFO. Mad. HC 1361
- ❖ Complaint i.e. non-submission of return cannot be made after 3 years. Cal. HC 1344
- ❖ Employer not liable to produce records without knowing the identity of complainant employees. Karn. HC 1351
- ❖ Merely giving approvals does not make the Director personally liable for non-deposit of PF dues. MPHC 1346
- ❖ An establishment cannot be covered under the EPF Act without reasonable opportunity of hearing. All. HC 1339

- ❖ Actual proof of financial difficulties will have to be produced for reduction of damages. Mad. HC 1348
- ❖ Non-payment of the employer's contribution to EPFO before due date is a continuing offence. Cal. HC 1354
- ❖ Even if damages and interest were levied ex-parte, the order can still be challenged before CGIT. Karn. HC 1344
- ❖ Establishment not falling u/s.1(3)(a) of the EPF Act can't be covered merely on basis of available record. All. HC 1339
- ❖ Commission paid to employees can be 'basic wages' depending upon facts and circumstances. Karn. HC 1351
- ❖ Two entities, even if treated as separate for assessment, can be clubbed during recovery. Mad. HC 1341
- ❖ Mere procedural lapses by the establishment does not automatically create criminal liability without specific evidence. MPHC 1346
- ❖ Damages will be reduced to 25% when the quantum of the same was more than the liability u/s.7A. Mad. HC 1353
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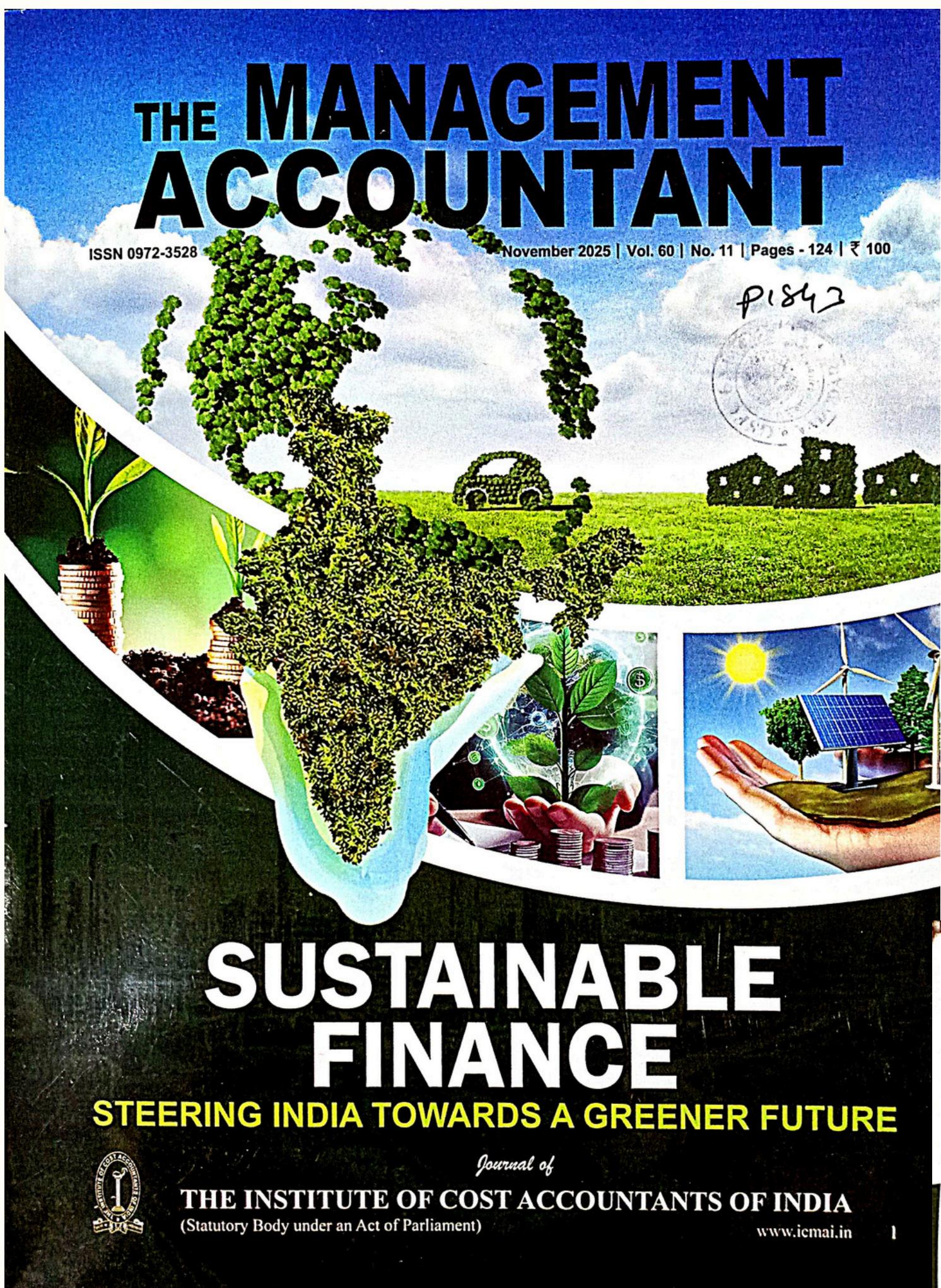
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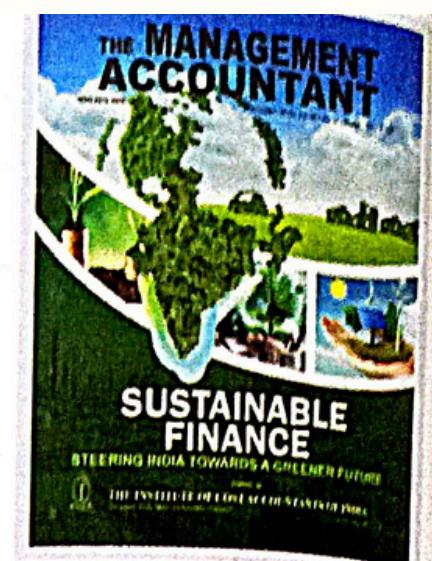


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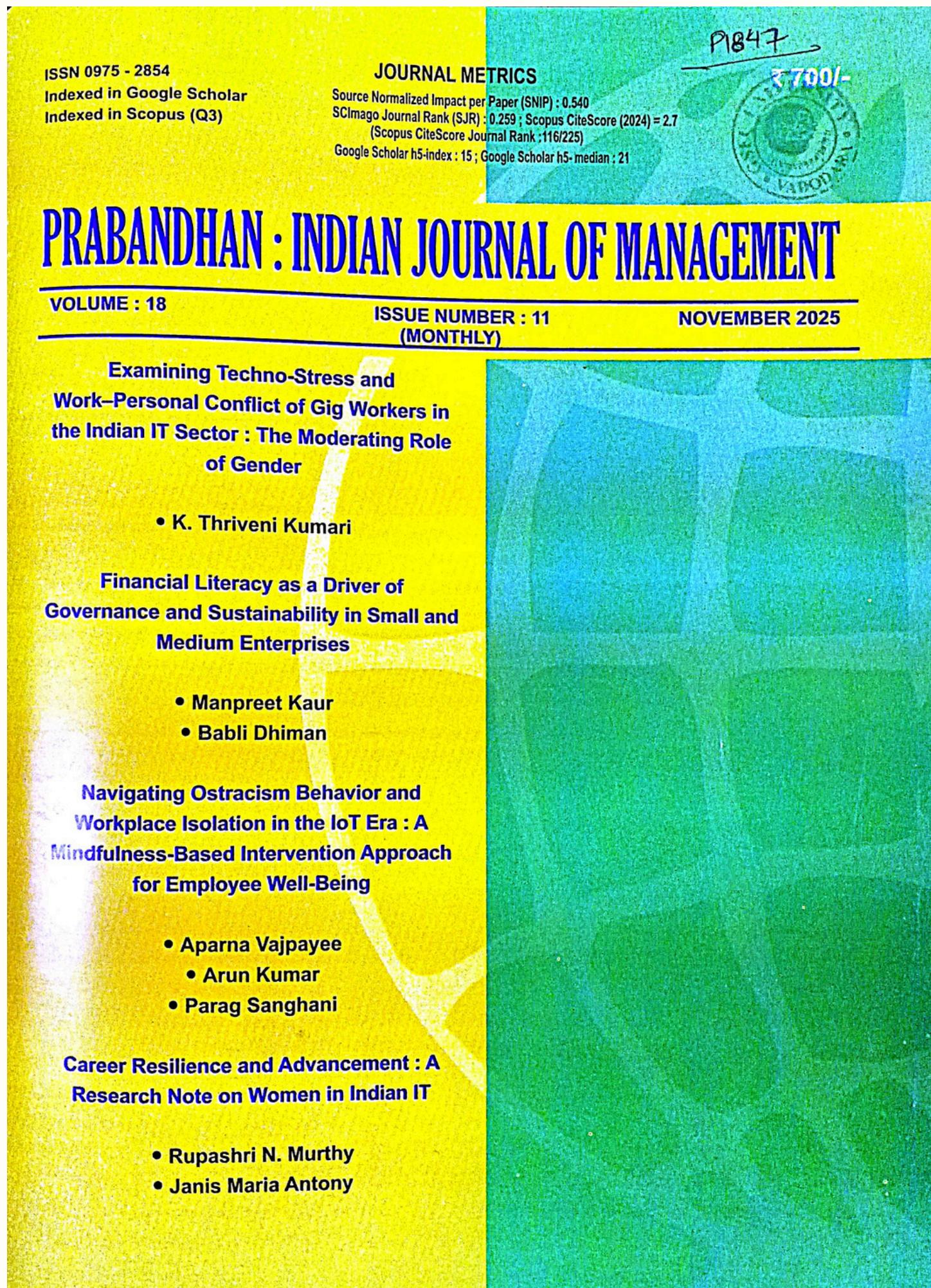
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