

Resumed on S.A.

9) My name is Usha Dhiraj Padaya, aged 39 years, residing at Mumbai. I have filed my examination in chief by way of affidavit at Exh.UW-1. Contents therein are true and correct. It bears my signature. I have nothing to say more besides my examination in chief by way of affidavit.

Cross-examination by Ld. Advocate Shri. D.H. Patil for first party:-

10) It is correct to say that when Mr. Khemchand Mohanlal Solanki was cross-examined before this court below Exh.U-4, I was present in the court hall, so I am aware about the questionnaire asked to him during his cross-examination. I am not recollecting exactly in which month and date, I got the knowledge about the vacancy of safai kamgar at first party no. 1 at Borivali from my close relative and I went accordingly to meet the time keeper for that purpose. The name of that time keeper was Mr. Deepak Chandolkar. Here, I am deposing on behalf of other lady workers concerned in present matter. Said time keeper Deepak Chandolkar has given information that one Mr. N.V. Inamdar, a contractor who was providing labour to the first party no. 1 hospital and on the basis of that information, I met him in the year 2017. I again mentioned that on telephone communication, said contractor told me visit me on first day of month of June 2017. I joined the services of first party hospital on 01.06.2017. It is not correct to say that my statement in my affidavit i.e. I joined the hospital from 02.01.2017, is false. It is not correct to say that from 18.04.2017 to 17.07.2017, I worked in first party hospital as daily wager. It is not

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correct to say that from 11.10.2017 to 17.12.2017, I worked in first party hospital as daily wager. It is not correct to say that I worked in first party no. 1 hospital during above two mentioned period as daily wager and my salary was used to pay on vouchers. It is correct to say that during above mentioned two periods, my attendance was marked regularly whenever I was present for work. Now I am shown details of payment paid to me in the month of April 2017 filed at page no. 11 of list **Exh.C-5**. It is correct to say that as per said document, my payment was made by taking my signature on register maintained by the hospital and affixing revenue stamp thereon for above two mentioned periods i.e. from 18.04.2017 to 17.07.2017 and 11.10.2017 to 17.12.2017. Said document is exhibited as **C-6**. It is not correct to say that thereafter through various NGOs, I worked. It is correct to say that after above mentioned period, I worked with Kul Swamini Prathishthan and Samarth Berozgar Seva Sahakari Sanstha. It is correct to say that during 01.01.2021 to 29.06.2021 and 01.07.2021 to 31.10.2021, after above mentioned period, I worked under one contractor, but do not know that whether he was engaged under NGO, Kul Swamini Prathishthan. It is correct to say that from 18.11.2021 to 16.05.2022, 18.05.2022 to 17.08.2022, 19.08.2022 to 13.12.2022, I worked under one NGO but do not know the name of that NGO. It is correct to say that 15.12.2022 to 14.03.2023 I worked under one NGO named Samarth Berozgar Seva Sahakari Sanstha. It is not correct to say that as stated in my evidence affidavit I worked continuously from 01.01.2021 to 14.03.2023 with first party no. 1 hospital, is false. It is correct to say that I have not

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gone through the regular procedure of recruitment usually conducted by BMC for permanent employees. It is not correct to say that I worked in first party no. 1 hospital as 'multi purpose worker.' Now, I am shown identity cards issued by NGO, Samarth Berozgar Seva Sahakari Sanstha Maryadit and BMC filed at page no. 140 and 141 below list Exh.U-5. It is correct to say that therein my work is shown as 'MPL' (Multi Purpose Labour) and 'contract labour.' These documents are exhibited as **U-10** and **U-11**. It is correct to say that as I was working on contract basis, the wages of permanent employees will not applicable to me. I was appointed as sweeper with first party no. 1 hospital. It is correct to say that the first party no. 1 hospital has not issued any document to me showing that I was working as sweeper with it.

Cross-examination completed is deferred till next date.

R.O.A.C.

Dated: 18.03.2026

(Dr. Dhanashree G. More)

Presiding Officer

Industrial Tribunal, Mumbai

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