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Resumed on S.A.

Further examination-in-chief by Adv. Shri B.K. Ashok for the applicant:

17. Contents of my affidavit are true and correct and it bears my signature.

Cross-examination by Adv. Shri Raj Yadav for the opponent:

18. I am working in the applicant company since 2019. It is true to say that, I do not have personal knowledge regarding the exact number of employees who were working in the company, so also I do not have personal knowledge about the day-to-day affairs of the company qua May 2015 to December 2016. I joined the applicant company in June 2019. It is true to say that, I have not filed on record documents such as muster roll, account statements, or salary registers for the period May 2015 to December 2016 of our company to show how many workers were employed by the company for the said period. It is true to say that, our company had not filed any documents in the office of the ESI at the time of hearing dtd. 01.11.2019. It is true to say that, the amount shown on page 2 of Exh. 29 came to be gathered by the ESI from the balance-sheet which we produced before it. It is true to say that, I have not produced any documents like bank statements, salary books, etc. to show that how many workers are working in our Bhandup unit. The documents, like ledger, salary register, bills, and vouchers, were not produced by us during the personal hearing at the ESI office.

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19. I have not filed any document in the court to show that our company was hiring outside labourers to get the work done during the disputed period. I have not filed contract agreement done between the company and any other party to show that, we hired outside labourers for temporary period to get the company work done. I can file bank statements and balance-sheet of our company qua disputed period. It is not true to say that, I have filed false chief-examination and I have not filed any documents in the court to show that the order u/s. 45-A of the ESI Act was wrongly passed.

**Cross-examination is over
No-re-examination.**

R.O.A.C.

Sd/-

(Y. P. Manathkar)

Member,

Industrial Court, Mumbai

Date: 20/06/2025

Ssp/-