

Resumed on S.A.

Witness admits the contents of affidavit of examination in chief as true and correct and also admits that he put signature on it.

Cross-Examination by Adv.N.B. Borkar for Applicant

It is true to say that I have read documents produced on record by the applicant. It is true to say that before issuance of notice in Form C-18 (Actual), no notice was issued to the applicant. It is true to say that, the registered office and workplace of the applicant is on one and the same place i.e. mentioned in my affidavit of examination in chief. It is true to say that applicant is covered u/s 1(5) of Employees State Insurance Act, 1948 w.e.f. 01/08/2016. It is true to say that I have read notification of Government dt.26/07/2016. It is true to say that as per said notification, ESI Act is applicable to the applicant w.e.f. 1/08/2016. It is true to say that I have read Government Notification dt.6/10/2016. It is not true to say that as per said notification rate of contribution to the employer is 3% and for the employee is 1%. It is true to say that 24 months of reduced contribution granted by notification dt.6/10/2016 comes to an end as on 31/07/2018. It is true to say that no bifurcation is shown in notice in Form C-18 (Actual) dt.19/11/2019, during the

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period in between 1/10/2016 to 5/10/2016. It is true to say that no bifurcation is shown in notice in Form C-18 (Actual) dt.19/11/2019, during the period in between 6/10/2016 to 31/10/2016. It is true to say that no opportunity of personal hearing was given to the applicant. It is not true to say that the amount shown in notice in Form C-18 (Actual) is incorrect and illegal. It is not true to say that recovery certificate in Form C-19, prohibitory order dt.6/09/2021 and CP-2 dt.24/06/2021 are incorrect and illegal. It is not true to say that all the contents mentioned in my affidavit of examination in chief are wrong and false.

Cross-examination completed.

No Re-Examination.

Pune.

Date : 02/01/2026.

Sd/-
(R.G. Malashetti)
Member,
EI Court & Industrial Court, Pune