

**Resumed on S.A.****Cross-examination on behalf of respondents by Advocate Shri. B.D. Birajdar**

21) I am Joint Secretary of union from 2022. It is true to say that I was not office bearer of the union in 2017 when charter of demands was given to corporation. It is true to say that the union filed first charter of demands on 18.11.2015. I have not filed document to show that I am Joint Secretary of second party union. It is true to say that there is dispute between union and BMC about pay fixation as per sixth pay commission. That dispute is relating to grade pay only. I do not know that we filed C(ULP)No.381/2015 in this court and I am one of the complainants in that matter. I do not know what is written in that complaint. We did not file any case pertaining to grade pay except C(ULP)No.381/2015. I am aware of federation of unions formed by Shri. Devdas. I do not know name of that federation. I do not know that said federation filed one case regarding grade pay. I do not know that the federation filed C(ULP)No.328/2011 and 418/2011 relating to same issue. I do not know that those both cases were dismissed by Industrial Court. I do not know that C(ULP)No.381/2015 was withdrawn during pendency of this case. It is not true to say that there is dispute about grade pay given to staff nurses only. Witness says dispute is relating to grade pay given to all categories of nurses i.e. staff nurse, sister in charge and Assistant Matron. I did not see charter of demands given by union to BMC. I have seen statement of claim submitted by union and five demands raised by it. Para 6 of statement of claim (Exh.U-3) in this case mentions that second party

union raised five demands of staff nurses by its letter dated 18.11.2015. It is wrong, demands were made in respect of all categories of nurses and not in respect of staff nurses only. It is true to say that demand no. 1 is relating to staff nurses. Witness says nurses join as staff nurse only. It is true to say that demand no. 2 is in respect of staff nurse only. It is true to say that demand no. 3 is in respect of staff nurses only. Now I am shown charter of demands dated 18.11.2015 submitted to BMC of which copy was given Labour Commissioner. It is true to say that demands no. 1, 2 and 3 in this charter of demands relate to staff nurses only. Now after perusing charter of demands and statement of claim, I realized that I had seen those documents while preparing my affidavit in lieu of examination in chief. Witness says initially I forgot that, I saw these documents while drawing my affidavit of examination in chief. We do not compare ourselves with junior engineers, clerks and ANM. I saw report of anomaly redressal committee. Report of anomaly redressal committee was of year 2023. We did not challenge report of anomaly redressal committee before any court. It is true to say that according to Maharashtra Civil Services (Revised) Rules 2009, grade pay of staff nurse is Rs.4200/-. I do not know that second party union entered into an agreement with BMC about service conditions of employees on 19.09.2011. Now I am shown statement of claim filed by second party union. Clause (a) of demand no. 2 (para no. 10) mentions the agreement dated 19.09.2011. I did not see the agreement dated 19.09.2011 before drafting my affidavit of examination in chief. I did not see what is mentioned about grade pay in the agreement dated 19.09.2011. I

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Exh.U-62  
Madhavi Rajesh Churi

do not know that the agreement dated 19.09.2011 contemplated fixation of grad pay. My pay was fixed in the year 2011 for first time. I do not know on what basis my pay was fixed in 2011. It is true to say that second party union is a member of federation. I do not know about efforts taken by union for pay fixation. It is true to say that as per sixth pay commission, salaries were enhanced with effect from 01.01.2006. Now I am shown page no. 16 of Exh.C-16 colly.. It is true to say that pay of staff nurses was fixed according to this document.

**Further cross-examination is deferred till next date.**

**R.O.A.C.**

Date: 16.07.2025.  
ams/-

(V. G. RAGHUWANSHI)  
Member  
Industrial Court, Mumbai.