

Resumed on S.A.

13) My name is Rucha Rajesh Salgaonkar, aged 57 years, residing at Hajiali Mumbai. I have filed my examination in chief by way of affidavit at Exh.C-23. Contents therein are true and correct. It bears my signature.

Further examination in chief on behalf of first party by Advocate Shri. B.D. Birajdar.

14) In para no. 8, 9 and 10 of my affidavit, date of agreement Exh.U-13 is erroneous, it should be 19.09.2011. G.R. dated 24.02.2020 filed with list Exh.C-24 is correct, It is at Exh.C-25.

Examination in chief completed.**Cross-examination on behalf of second party by Advocate Shri. P. Devdas.**

15) It is correct to say that this dispute pertains to nurses recruited between 1992 to December 1996 (demand no. 1). It is true that BMC runs, five nursing schools. It is true to say that BMC follows reservation policy while giving admissions to nursing diploma in our schools. It is true that between 1992 to December 1996, there used to be 100% recruitment from students of our school. It is true that those nurses were not regularized even after completing continuous 240 days of working. It is true that their initial appointment was temporary. Witness again says it was on adhoc basis. It is true that when students of our nursing school were not available, nurses of other schools were recruited. I am not sure whether adhoc recruitment is not mentioned in our rules or standing orders. It is true that nurses were appointed after verifying that they fulfilled eligibility criteria. It is true that they were appointed on vacant posts. It is true that work of nurses is of

continuing nature. I am not sure whether this issue was discussed with commissioner on 28.08.2008. Now I am shown Exh.U-36, it is true that there was such discussion with Additional Commissioner. It is true that it was decided to put up proposal after scrutiny of recruitment. It is true that, that proposal is still not put up. It is true that therefore, the union made such demand. It is true that nurses appointed after 1996 were given permanency, witness says it was given after probation. It is not true that probation of nurses appointed between 1992 to December 1996 was of three months. It is not true to say that I made an incorrect statement that probation was of two years.

Q. I say that nurses recruited between 1992 to December 1996 were not given permanency after completion of two years' probation, what do you say?

A. In those days there was a circular from BMC Additional Commissioner that permanency was given to nurses from a particular caste to complete the backlog of that particular caste. On 30.12.1996 a circular issued from recruitment office, Public Health Department stating that candidates who were working on adhoc basis from other castes will be made permanent from 01.01.1997 as per availability. Thereafter they were made permanent as per availability.

16) It is not correct to say that there was no direction not to make them permanent for the period 1992 to December 1996.

As per oral request of Shri. P. Devdas, Ld. Advocate for second party, cross-examination stands deferred.

R.O.A.C.

Dated: 06.01.2026

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