

ROSA

Name: Vinod Ramesh Kudave

Age: 34 years.

Occ. Service.

R/o.Satara.

I have filed my affidavit of examination in chief below Exh.U-27. Contents of the same are true and correct. Same bears my signature.

Date: 21.02.2025.

(Sham V. Suryawanshi)

Member,

Satara.

Industrial Court, Satara.

Cross examination of witness by advocate Shri. R.V.Tukdeo for the respondents.

1. All the other Complainants have not given me power of attorney to depose on behalf of them. In the present matter only I am attending the Court on every date. I am not aware as to whether appointment of Respondent Nos.1 to 3 and the staff working there are made through MPSC or IBPS. I have taken information as to how they are appointed. It is true to say that for various posts like peon, sr.clerk and jr. Clerk advertisements are issued in the newspapers. I am not aware as to whether after such advertisement examinations are held and appointments are issued after interview. There are various office bearers and

committee members of Respondent No.4 and they are not joined as party to the present proceeding. I have not seen the bye-laws of Respondent No.4. It is true to say that said samiti looks after the management of Respondent No.4 on "no profit no loss basis". Said samiti consists of Collector, CEO of Z.P., Executive Engineer, PWD, President of Municipal Council, Respondent No.2, Chief Officer, Municipal Council. I am not aware as to whether said samiti has right to make appointment on contract basis. Before filing complaint I have not taken any information as to how the appointments are made by Respondent No.4. It is true to say that honorarium or the wages of the workers working with the Respondent No.4 are paid by the Respondent No.4. I am not aware as to whether the function of Respondent Nos. 1 to 3 is only to encourage sports activities in the District and to give ancillary works related to the same. I have not taken any information about the rights and duties of Respondent Nos.1 to 3. It is true to say that Respondent Nos. 1 to 3 have not issued appointment order to us. I am not aware as to whether Respondent No.4 is registered with the Charity Commissioner. I have not taken any information about rights and duties of Respondent No.4 while filing this complaint. It is true

to say that Respondent No.4 makes appointment on honorarium basis and daily wages. It is not true to say that I am deposing falsely that there is employer employee relationship between Complainant and the Respondents. I have read the written statement filed by the Respondent Nos. 3 and 4. I have not taken any information about Government Resolution dated 07.12.2005. I am not aware as to whether class-I and Class-II posts are not available with the Respondent No.4. It is not true to say that we don't have any appointment letter. I have mentioned in my affidavit that appointment orders are not issued to us. I cannot tell as to whether I do not have any documentary evidence except my words, in respect of contents of annexure attached to my affidavit. It is not true to say that we have filed false complaints without any information against the Respondents.

Cross incomplete. Adjourned at the oral request of learned advocate for the respondents.

Date: 21.02.2025.
Satara.

(Sham V. Suryawanshi)
Member,
Industrial Court, Satara.

ROSA.

Cross examination of witness continued by advocate Shri. M. V. Shinde for the respondents.

2. I am not aware as to whether Respondent No.4 is registered under Bombay Public Trust and Societies Registration Act. I am not aware as to whether constitution of Respondent No.4 was prepared in the year 2000. I have not read the written statement filed by Respondent No.4. I cannot tell as to whether we have joined Respondent No.4 without knowing the functions of the Respondent No.4 Samiti. At the stadium there is the board of Respondent No.4 Samiti. President of said samiti is Collector. District Sports Officer is the Secretary of said samiti. It is true to say that said samiti looks after the management of sports in the stadium. For said purpose workforce required is appointed by samiti on daily wages. I am not aware as to whether for sports activities donations and fees are collected. It is correct to say that fees are charged for sports activities like badminton and the functions and events arranged by samiti. I cannot tell as to whether Respondent No.1 to 3 and Respondent No.4 are different. I have seen the documents filed by the Respondent. I am not aware as to whether Respondent No.4

functions as per its Constitution. I am not aware about the rules framed for appointment of workers in the Constitution of Respondent No.4.

3. I am educated upto B.A., B.P.Ed. I completed B.P.Ed in the year 2016. I am not aware as to whether permission of office is necessary for a Government servant for acquiring higher educational qualification. Timing of B.P.Ed college is 9.00 a.m. to 2.00 p.m. Said course is of one year. In said period lectures and examinations are conducted. I have not given any competitive examination through MPSC. It is true to say that I have appeared for competitive examination for the post of Sports Officer and Sports Coach. It is true to say that various posts with Respondent Nos.1 to 3 are filled by competitive exams for which advertisements are issued. It is true to say that various posts like sweeper, groundman and necessary workforce is employed on daily wages by the Respondent No.4. I am not aware as to whether said practice of appointing employees on daily wages is continued by Respondent No.4 till date. I am not aware as to whether Respondent No.1 to 3 have no right to make appointments in their respective offices. I have taken information as to whether I can claim any relief in this Court

before filing the present complaint. It is not true to say that I am deposing falsely that I have taken information. I cannot tell as to why the members of Respondent No.4 samiti are not made party to the present proceeding. I am not aware as to whether all the decisions of Respondent No.4 are taken by its samiti members in meeting. Consideration for the workers appointed by Respondent No.4 are paid by the Respondent No.4 samiti. It is not true to say that contents in para 4 and 10 of my affidavit of examination in chief are false. It is not true to say that contents of the annexure attached to affidavit of examination in chief are false. It is not true to say that I am deposing falsely that my appointment is for continuous and permanent work and I have completed 240 days in service. It is not true to say that I have filed false complaint and deposing falsely. I am not aware about the movement register maintained by Respondent No.3.

Cross Complete. Re-examination Nil.

Date: 11.03.2025.
Satara.

(Sham V. Suryawanshi)
Member,
Industrial Court, Satara.