

**Reference (IT) No.4/2016****Exh. C-10****Resumed on S.A. today on 15.10.2018****Cross-exam. by Ad. Todkar for Second Party**

190. I am aware about the 26 members of the union who are fighting the present reference. I am aware about the facts of the present reference. In our Shirwal Plant we used to manufacture the furniture components including wooden and steel. It is true to say that we are using machinery for manufacturing the furniture components. I am unable to say whether 40 to 50 machineries installed in our plant for the manufacturing of furniture components. But it may be about 40 to 50 machines. It is not true to say that the machine used to operate by the operators. Volunteers that the machineries are automatic. It is true to say that the names of some of the machineries are Holzma, HKL, Weeke, Vantage, Hp, AG 500, Baz, Skipper, BHX, Punching machine, LVD, Hydraulic Bending, Tile Folding, Fascia Folding, CNC Machine, Spot Welding Machine, etc.

191. It is true to say that we are having Forklift Machine for the movement of material. It is true to say that the Forklift Machine operated by the Driver. It is true to say that in order to operate above mentioned machines, one person is required on each

machine to operate the same. It is correct to say that one person is required to supervise each machine to see its proper functioning.

192. It is not true to say that one person is required to operate Holzma and HKL wood board cutting machine. It is true to say that lipping is fixed on the wooden cutting pieces. It is not true to say that while the company manufacturing the components of furniture, one has to do the programming and setting. It is true to say that a person is required for setting of machine. It is true to say that the person is required to check the manufacturing product to verify the dimensions. It is true to say that some of the products required drilling. It is true to say that the routing, grooving is required for some of the wooden components. It is true to say that labeling and packing is required to be done regarding the finished products. I am not aware whether the work of diasettings and punch settings is required while manufacturing the products. I do not agree with the suggestion that the 26 workers who are representing the present reference are doing the above mentioned jobs in our plant.

193. It is true to say that the workers of Shirval Plant are doing the work in three shifts. It is true to say that the timing of the shift is 7.00 a.m. to 3.40 p.m., 3.40 p.m. to 12.00 a.m. and from 12.00 a.m. to 7.00 a.m. It is true to say that the 26 workers of the present reference are working in our Plant in one of the shift as

per the direction of their superiors. It is true to say that in our Plant we have introduced the band system. In our plant, we have introduced six type of bands i.e. K, A, O, P, T & E. It is true to say that the lowest band is "K" band. It is true to say that all the 26 workers of the present reference are working in "K" band category. About 70 persons may be working in our plant in "K" band category. It is true to say that about 50 persons are working in other categories of bands. It is not correct to say that the persons who are working in "A" band used to call as Supervisor. Now again say it is correct. It is true to say that the persons working in "O" band category are generally Engineers and the persons working in "P" band category are the Managers. The persons working in "T" band category are called as AGMs and DGMs. The person working in "E" band category is called as General Manager. It is not correct to say that the persons working in "K" band have to work under the supervision of the persons from E, T, P, O & K band categories. The instructions to the persons working in "K" band are given in shift plan. The persons working in "T" band and "P" band are preparing the shift plans. It is correct to say that out of 26 workers representing the present reference, 25 workers are the ITI. I am unable to say whether the last one is only 10<sup>th</sup> pass worker. It is correct to say that except the persons working in "K" band, the other persons working in the rest of the bands, are having their individual email IDs. It is not correct to say that the persons working in "A" band category are preparing the designs of furniture components. It is correct to say that none of

the person working in A, O, P, T & E band categories are actually operating any of the machines of our plant. It is correct to say that none of the 26 workers of the present reference is authorized to recommend, sanction or cancel the leave application of any one from the plant. Volunteers that the leave is sanctioned by the departmental head. It is not correct to say that none from the 26 workers is empowered to take any policy decision regarding the Shirval Plant. I have not produced any document to show that anybody from 26 workers took any policy decision of Shirval Plant till date. It is correct to say that none of them out of 26 ever took any policy decision of Shirval Plant. Therefore, we have not produced any documentary proof in that regard. It is correct to say that none from the 26 workers is empowered to give approval of increment in wages of any worker of Shirval Plant. It is correct to say that none of 26 workers is empowered to appoint or terminate the services of any one from Shirval Plant. Also they have not empowered to issue show cause notice, to initiate any departmental inquiry or to issue charge sheet to any worker of Shirval Plant. I am unable to state whether the persons working in "K" band category, are getting lowest wages/remuneration than the persons working in rest of five bands mentioned above. I am ready to furnish the information in this regard on the next date.

194. There are nine departments in our Shirval Plant mainly Production, Quality Control, Maintenance, Stores, Finance, Purchase, H.R., Planning and Safety. It is correct to say that the

26 workers of the present reference are working only in Production, Quality Control, Maintenance and Stores Departments of our Plant. It is not correct to say that except 70 persons working in "K" band and 50 persons working in rest of the bands, noone else is working in our plant. The Factory Act is applicable to our plant. It is correct to say that it is mandatory to maintain the muster-roll of the workers working in our plant as per the Factory Act. We are maintaining the punching card system for marking the attendance of the persons working in our plant. In the month of August and September 2018, the punching card system was in force. I have no hurdle to produce the attendance record of the persons working in our plant for the month of August & September 2018 on record. It is correct to say that the CCTV Cameras are installed in our plant.

195. It is true to say that in the appointment letters of the 26 workers of the present reference, there is no mention about the nature of their duties.

As per oral request deferred till 26-10-2018

R O A C

Sd/-  
(D. A. Dholakia)  
Member,  
Industrial Court, Satara.

Date : 15/10/2018  
SATARA.

**Resumed on S.A. today on 1/11/2018**

**Further cross-exam. by Adv. Todkar for Second Party**

196. It is true to say that we used to manufacture wooden bed (single and double), bed side table, Ward Robe (single, double, three door, four door), dressing table, table top, coffee table, talk table, overhead unit, office partition, desk, mid ranged and kitchen trolleys in our unit. It is true to say that in order to manufacture the above furniture and texture we required raw materials like wooden boards, steel sheets, lamination paper, lippings, glue, foil, mirror, quoting powder and other hardware items.

197. It is correct to say that in the manufacturing process of furniture the stages are lamination, cutting, lipping, drilling, assembling, finishing, and packing. I am not the shop floor employee. Therefore, I am not aware about the entire manufacturing process carried out in shop floor plant. I do not know whether the raw wooden boards are used to brought from store department to manufacturing unit by forklift machine near the pressing machine. The wooden board might be placed on pressing machine with the help of fork clip machine. I am not aware the instructions used to be given to the forklift operator the manner in which angle the wooden board is to be placed on the pressing machine. It is correct to say that while placing the

wooden board on the press machine the presence of K band employee is necessary at there. Volunteers that for supervise the above process, the supervision is necessary. I am not aware whether the command requires to give to the pressing machine about length width, and thickness of wooden board placed on the pressing machine. I do not know whether the wooden board is brought with help of loader machine upto to bed of pressing machine and for that purpose it is necessary to give the command to the loader machine. It is not correct to say that the employees working in K band category used to give the command to the loader. According to me, the apprentice and neem trainees used to give the said command. I do not know whether we have not produced any doc to show that the apprentice and neem trainees are employed in our company. It is not true to say that I am falsely deposed that apprentice and the need trainees looking after the work of giving command to loader. I am not aware whether the temperature and pressure requires to set while pressing the wooden board. It is not true to say that the employees of K band category are doing the work of settings of pressure and temperature. I do not know whether after the process of pressing the wooden board used to unload with the help of loader and for that purpose the command required to give to the loader. It is correct to say that after the process of pressing it needs to be verified about proper pressing wooden board. It is partly correct to say that the K band employee used to verify about the pressing quality work of the wooden board. I do not know after verifying

the wooden board after going through pressing process the K band employees used to prepare first inspection report. I am not sure that from the pressing machine the wooden board used to shift to board storage area with the help of forklift.

198. I am not aware whether after completion of pressing process the cutting process starts. I am not aware whether holzma and HKL machines used for cutting of wooden board. I am not sure whether on resuming duty by the employee of K band the co. used to give him shift plans. It is correct to say that we used to prepare shift plans for the employees. It is not correct to say that the employees working in A, O & P bank used to prepare the shift plans. According to me at the starting shift all the employees including K band used to prepare their shift plans. I am not aware whether the shift plan does not bear the signature of K band employees. It is not true to say that I am falsely deposing that at the beginning of each shift all the employees including K band employees preparing their shift plans. I am now aware about the contents of the shift plans. I am not aware the shift plans contain about the name of produce and its quantify including the priority of the work. I am ready to produce the shift plans report for October 2018. I am not aware whether along with the shift plans we used to provide bill of materials. I do not know whether in the bill of material the drawing of product used to provide by us.

199. I am not aware whether the wooden board while

bringing in the cutting department used to be optimized. I am not aware whether the K band employees are doing the work of optimization. It is correct to say that the measurement tapes are provided to the employees of K band employees. Volunteers that the measurement tapes are provided to all the categories. I am not aware whether I have not produced any doc. to show that all the employees from A to E category are provided with measurement tapes. It is correct to say that the company has not provided any separate table, chair or cabin to the 26 employees of the present reference. I am not aware whether the measurements in pressing and cutting department used to feed manually. It is not correct to say that the K band employee used to feed the measurement. I am not aware whether the quantity of cuttings of wooden board requires to feed manually. I do not know whether holzma and HKL machine cannot start working without giving command. There is no fully automatic process in our unit where on placing the raw material in a particular machine the finished goods comes out in a particular form of furniture. I am not aware whether wooden board requires to cut length and widthwise. It is correct to say that after cutting of wooden board there remains waste wood (scrap). I am not aware whether the scrap wooden requires to dump manually in the scrap bin. I am not aware whether the K band employees are doing the said work of dumping of scrap. I am not aware whether the inspection of cut wooden board is necessary to verify whether the job is correctly done as per the shift plans and bill of materials. It is not true to say that the K band

employees are doing the job of verifying the proper cuttings of cut wooden boards. I am not aware whether the cut wooden boards used to place on pallet. I am not aware whether the lable used to prepare containing the particulars about the number of cut wooden board, sheets, date & name of operator and used to paste on the cut wooden board placed on pallet. I do not know whether the problem like chipping, taper cutting, tool cutting, etc. creates while carrying out the cutting process. I am not aware whether such types of problem creates then one has to change the cutting wood manually and the said work is done by K band employee.

200. It is correct to say that after the cutting process the process of lipping and drilling starts. It is correct to say that the cut wooden boards from the cutting department used to transfer to lifting and drilling department with the help of fork lift. I am not aware whether IMA or V-TAP machines used in the process of lipping and drilling. I am not aware whether the shift plans used to provide to the K band employees working in lipping and drilling section. I am not aware whether the lipping and drilling process are different one. I am not aware whether as per the bill of materials the lipping material used to demand for store section. It is correct to say that while making a demand of any material from the store section one has to submit the requisition form. It is partly correct to say that the K band employees used to fill the said requisition forms. It is correct to say that the lipping material used to brought in the lipping section with the help of fork lift. I am

not aware whether the lipping material used to place on lipping machine after bringing from store section. I am not aware whether there are 6 fiddlers to the lipping machine. I am not aware whether the lippings are in different sizes. I am not aware whether the size/width of cutting wooden board requires to feed in lipping machine. There is computer to monitor the lipping machine. I am not aware whether the computer requires to be operate for starting the lipping process. It is correct to say that the K band employees requires to prepare production report/worksheet. I am not aware whether the said report/sheet used to be submit by the K band employee on completion of his shift on day to day basis. I am ready to produce the production report/sheet of 26 employees of the present reference for the month October 2018. I am not aware after feeding of the size and width of the cut wooden board in the lipping machine generates the programme. I am not aware whether the radius of lipping measured as R-1, R-2 etc. I am not aware whether vernier caliper provided to the 26 employees of the present reference in lipping department. I am not aware whether as per the measurement given in the bill of materials the employees require to fix/change the tool manually. I am not aware whether the wooden component requires to push manually during the lipping process. I am not aware whether after the lipping process the product requires to be manually checked randomly. It is correct to say that we are using glue during the lipping process. I am not aware whether the glue manually poured in glue pot of lipping machine. I am not aware whether one has to check the

glue pot whether it contains the glue or not during the lipping process. I am not aware whether the K band employee looking after all his manual work .

201. I am not aware whether after the gluing process cleaning agent is used. I am not aware whether the work of pouring cleaning agent in the machine done manually by K band employee. I am not aware in the lipping process the problems like chipping, glue spots and variation in radius arises. I am aware whether if such problems arises then one has to change the cutter or tool and that has been done by K band employees.

202. It is correct to say that the worksheets/production reports are in printed form. It is correct to say that the K band employees used to fill up the said form /sheet in his handwriting. I am not aware whether none of the other employees of the other bands barring K band requires to fill in the said forms/sheet. I am working in T band category. I do not require to submit said form/sheet. I am not aware whether the production reports/sheets used to verify on its submission. It is not necessary while recruiting the A band employee he should be diploma holder. at present about 10 employees working in our unit in A band category. I am not aware whether near about all 10 said employees are diploma holder. I am ready to produce the education qualification documents of the said A band 10 employees. It is correct to say that the 26 employees of the

present reference have to work in anyone of the shift out of 3 shifts. It is correct to say that there are one or two shift supervisor in each shift. Volunteers that we used to call him Shift Incharge. I am not aware that the said shift supervisor is from A band category. I am ready to produce the list of shift supervisors and their band category.

Due to recess cross exam. deferred.

R.O.A.C.

Date : 01/11/2018

Satara.

(D. A. Dholakia)  
Member,  
Industrial Court, Satara.

**Cross exam. resumed on S.A. after the recess.**

203. I do not know whether Madhukar Bane, Nitin Bhoite, Lalchand Yadav, Khurshid Fakir and Rameshwar Gawade the employees of present reference are working in cutting section. Also I do not know whether Dattatraya Kharat, Ravindra Chabukswar, Dinkar Chavan, Suraj Shinde, and Shrikant Khambe are working in lipping section. I do not know whether Vikas Patil, Dashrath Kale, Sunil Ghare and Madhukar Nikam are working in routing/drilling section. I do not know whether Uttam Pharakate, Dattaraj Kamble and Suhas Kudale are working in drilling section and Babaji Waghere is working in home assembly section. Volunteers that they all are working in good working department.

It is correct to say that Pravin Pawar, Rajendra Sarukh, Navnath Sawant, Sachin Desai and Sagar Jagtap are working in metal department and Raghunath Khade is working in Quality Control Department.

204. I am not aware whether the employees of K band working in routing/drilling section are provided shift plans on resuming their duties, along with bill of materials. I do not know while doing the process of routing/drilling the job fixed by vaccum cups. I am not aware while using the vaccum cups one has to check water level. It is correct to say that the lipping material required for the routing used to obtain from stores department by submitting the requisition form. I am not aware the said requisition form used to fill back K band employee. I am not aware whether glue is required during routing process. I am not aware whether the programme requires to set before starting the routing process. I do not know whether the routing process done with the help of machinery. I am not aware whether the vaccum cups required to be set manually. I am not aware whether the vaccum cup setting and programming setting done by K bank employee. I do not know whether at the time of every process the tooling requires to set manually by K band employees. I am not aware whether during the process of routing the problems like chipping arises and for that purpose the tool requires to be changed manually by K band employees. I do not know whether in case of excess lipping the snapper is used by the K band employees. I am not aware which

type of tools used during the process of routing. I am not aware in case of excess lipping on the wooden panel, trimmer is used. I am not aware whether the vernier clippers provided to the K band employees while working in routing process. I am not aware whether the first piece inspection is required during the process of routing. I am not aware that after the routing process the quantity of the job required to be mentioned in production report. I am not aware whether the job from routing section sent for finishing.

205. The K band employees if faced any problem during their working then they may be addressed to shift incharge/supervisor. I do not know whether the K band employees are working under the supervision of shift incharge. It is correct to say that if K band employee wants to avail the leave then he has to submit the leave application in writing with the superior officer. It is correct to say that the employees of K bank onwards used to apply for leave online.

206. I do not know whether the job of fitting of mirror, handle, top assembling, finishing done in home assembly section. It is correct to say that in the K band employees working in the said section if require any raw material as per bill up materials then he has to submit the requisition form to store department. I do not know whether fixture is required while fitting the mirror to any component. I am not aware whether the fixture work done by manually. I do not know whether glue has to apply manually on

the back portion of mirror while fitting the same. I do not know whether applying to the mirror it requires to put in fixtures with an intent to remove an air and then the fixture removed manually. I do not know whether K band employee used to check whether any air between the mirror and the mirror panel. I do not know whether the top assembly requires while preparing two or three doors ward robs. I do not know whether for the job of top assembly wooden strips are required to be brought on store department and the wooden strips are required to be cut as per the measurement. I do not know cut wooden strips used to drill by airgan and then the glue applied to it manually with the help of brush. I do not know whether the above mentioned work done by K band employees.

207. I do not know whether the work of removing glue marks, scratches, dents, corner sharpness, lipping gaps etc done in finishing section. I do not know whether the said works done by K band employees manually. I do not know the different types of chalk used in the finishing department for removing of scratch mark and chopping and thinner is used for removal of glue mark. I do not know whether the K band employees are doing the said work manually.

208. I do not know whether the K band employees working in packing department are given the shift plan on their resuming duties. I have visited our packing section. It is correct to say that

the finished goods manually packed in corrugated boxes. It is correct to say that while packing the finished goods it used to wrapped in bubble sheet before placing into corrugated boxes. It is correct to say that one has to obtain the corrugated boxes and bubble sheets by placing the requisition form with store department. It is not true to say that the packing work done by K band employees. It is correct to say that there is sequence of package of finished goods. I do not know whether we are placing assembly manual and care book in corrugated box while doing packing. It is correct to say that the lable used to pasted on the corroborated cash box disclosing product name, MRP, item code, batch no. etc. It is correct to say that said lables generated with the help of computer. It is correct to say that all the works in the packing department done by K band employee. Now again say it is partially correct.

209. It is correct to say that in the quality control section we used to check the quality of finished goods. It is correct to say that the K band employees are doing the work of checking of quality control. It is correct to say that the employee working in all the sections viz. cutting, pressing, lipping, routing, drilling, home assembly, finishing and quality control requires skill. It is not necessary that the employees working in these sections also requires some technical knowledge.

210. it is true to say that we have not provided the duty list

to the 26 employees of present reference. It is not true to say that none of any other employees is working under the said 26 employees. It is not true to say that I am falsely deposing that other employees are working under the said 26 employees. It is true to say that the first party company having lawkim and appliance divisions. It is true to say that both these units are situated in Khandala Taluka. I do not know whether there exists no K band system in the above mentioned two units. It is true to say that there exists the union of employees in both the units.

211. I do not know whether the second party union submitted the list of the duties of 26 employees which they were actually performing before the Asstt. Commissioner of Labour, Satara (in short ACL). I am aware about the dispute raised before ACL Satara by the second party. We have not searched and submitted the actual duty list of the 26 employees of the second party before ACL Satara. It is true to say that during the pendency of the dispute before the ACL Satara and during the pendency of the present reference we have issued the show cause notices to some of the employees out of 26 pointing out their indiscipline.

Further cross exam. deferred till production of the documents by the witness.

ROAC.

Date : 01/11/2018

Satara.

(D. A. Dholakia)  
Member  
Industrial Court, Satara.

INDUSTRIAL COURT