

ROSA.

Name : Vaibhav Ramesh Gondhalekar Age: 47 years

Occ. Service R/o. Satara.

I have filed my affidavit of examination in chief below Exh.C-90. Same bears my signature. Contents of the same are true and correct.

Date: 13.02.2026

(S.V.Suryawanshi)

Presiding Officer,

Satara.

Industrial Tribunal, Satara.

Cross examination of witness by advocate Shri.D. P. Todkar

for the second party.

1. I have done my masters in personnel management. I do not recollect as to whether at the time when issue regarding workman was decided 27 workers were involved in the present reference proceeding. Six persons who are terminated includes Mr. Kambale and Mr. Fakir. It is partially correct that these six persons have filed complaint against their termination before Labour Court, Satara. Complaint filed by Mr. Kambale and Mr. Fakir are bearing Complaint (ULP)No.8/2021 and 9/2021 respectively. In these two complaint Ld. Labour Court has given interim direction to deposit 50 % wages. Revision petitions were

filed against said orders before this Court. Both the revisions are dismissed. It is true to say that as per interim order of Ld. Labour court, we have not deposited 50 % wages of those two workers. Witness volunteers that we have filed writ petitions before the Hon'ble High Court. It is not correct to say that I am deposing falsely that writ petitions are filed.

2. It is not true to say that First Party company has not given any reply to the charter of demands submitted by Second Party union. I can show the copy of our reply from the present proceeding. I do not recollect the exact date of reply. I have taken information about documents filed by both the parties in the present matter. I am not aware about the copy of constitution of Second Party union filed in the present proceeding. I have no knowledge as to whether we have disputed constitution of the union by filing any proceeding. It is true to say that Second Party union has informed us about formation of union in December 2015 by letter which is below Exh.U-59/2. First Party has given combine reply to said letter. It is not true to say that I am deposing falsely that we have replied said letter. I do not recollect as to whether we have informed Second Party union that your union cannot be formed in our

undertaking. I do not recollect as to whether we have challenged registration certificate of Second Party union. It is not true to say that I have deposed falsely in my affidavit that Second Party union has no locus standi to file the present complaint. It is correct to say that prior to December 2015 no other union was functioning in our undertaking. It is wrong to say that except Second Party union no any other union is functioning in the First Party undertaking. I have not seen the subscription receipts of the members of Second Party union filed in the present reference. I am not aware as to whether we have raised any dispute against the president, office bearers and members of Second Party union. I am not aware as to whether we have informed Second Party union that your demands are excessive, unreasonable and continuous. I am not aware as to whether after 2015 Second Party union has not raised any charter of demands in the year 2016-2017-2018. I do not recollect as to whether we have informed Second Party union at any point of time that they are interferring in our day to day activities.

3. I cannot tell as to how many staff members were working in the First Party company in the year 2015. As a General Manager HR I am performing duties like recruitment, training

and development, performance management, business excellence, compliances and MIS etc. Time keeping work is performed by HR Office. Said office works under my supervision.

4. I am not aware as to whether we have informed Second Party union that workers involved in these reference do not have any complaint against First Party. We have informed Second Party union that your demands are unjustified and illegal. It is correct to say that we have no discussions with the Second Party union on the demands submitted by them. I do not recollect as to whether we have not informed Second Party union we cannot sit for discussion on their demands. I am not aware as to whether we were absent before conciliator on all the dates.

5. It is not true to say that we have never informed the appraisal to the workers involved in this reference. I have filed evidence about appraisal and information about the appraisal given to the employees involved in this reference. It is not correct to say that First Party company has never offered any wage rise to the concerned workers. Statement of salaries drawn by other employees as mentioned in para 11 page 12 of my affidavit is not filed in the present proceeding. I have no

knowledge about the audits and accounts. The chart referred in para 12 of page 12 of my affidavit is not filed on record. I have read the charter of demands raised by Second Party union in the year 2016. I am not aware as to whether we have informed Second Party union that those demands are ambiguous and not specific.

On oral request of Id. Advocate for Second Party union, adjourned to next date.

Date: 13.02.2026
Satara.

(S.V.Suryawanshi)
Presiding Officer,
Industrial Tribunal, Satara.

ROSA.

Resumed Cross examination of witness by advocate Shri.D. P.

Todkar for the second party.

6. We have informed the Second Party union that specific amounts which they are seeking as salary rise are not set out specifically in charter of demands. Copies of those letters are at Sr.Nos. . It is not correct to say that basic salary of the workers involved in this reference are not revised from the year 2016 till date. I do not recall as to when we have revised the basic salary of the concerned workers. Till date, on from 2016

basic salary of concerned workers is revised twice. It is not true to say that salary of the concerned workers is revised only once from the year 2016. I am not aware as to whether we have informed the concerned workers that we are revising their salary as per their demands. It is not true to say that it was not difficult for First Party company to have discussion on the demands raised by the Second Party union. We have not informed the Second Party union about our difficulty to have discussion on their charter of demands.

7. We have never paid variable DA to the concerned workers. I am not aware as to whether we have informed the Second Party union that we cannot understand the demand of Second Party union in respect of variable DA. It is correct to say that salary of the employees involved in this reference is not revised every year. I am not aware as to whether we have informed the Second Party union about the reasons mentioned in para 16 of my affidavit of examination in chief. Workers involved in this reference are ITI qualified. It is not correct to say that at the time of their appointment they were having experience. It is correct to say that while appointing these workers advertisement was published. It is partially correct to

say that these workers were appointed as per said advertisement. We have verified the applications for appointment filed by the concerned workers. We have already filed on record applications made by the workers involved in this reference. Now I am shown the advertisement which is at Exh.C-47/1. Since the Second Party referred the document the same is marked as Exh.C- . I do not remember as to whether one of the worker involved in this reference is residing at Pune. It is correct to say that we have provided transport facility to workers from Pune to Factory. For said facility we charge certain amount from the workers. Said amount is charged equally from all the workers in all the categories. It is not true to say that First Party company is paying Rs.1,927/- as HRA to the workers involved in this reference. I do not recollect as to whether we have filed any evidence to show that amount of Rs.4,453/- is paid as HRA to the concerned workers. It is not true to say that HRA of the concerned workers is not increased from the year 2016 till today.

8. It is correct to say that we are paying education allowance @ Rs.200/- per month and medical allowance @ Rs.500/- per month, LTA @ Rs.3,000/- per annum from the year 2016 till date. We have provided uniforms to the workers

involved in this reference. It is mandatory on the part of the workers to wear uniforms provided by the First Party Company. It is correct to say that we are not paying washing allowance to the workers.

9. I am not fully aware about date of establishment, total turnover and total number of employees employed in the companies mentioned in para 20 of my affidavit.

10. It is not true to say that mediclaim policy as mentioned in para 26 of my affidavit is for Rs.5 lakhs only. I can produce evidence to show that said mediclaim policy is for 6 lakhs. It is partially correct to say that installments of the mediclaim policy are paid by the workers. Partially correct means First Party company is also contributing. I can produce evidence to show that the company is also contributing for mediclaim policy.

11. There is no practice of giving advance amount to the workers.

12. There is no practice of giving overtime allowance to the workers.

13. It is not correct to say that we have never paid the amount of bonus to the workers involved in this reference. We

have already filed the evidence to show that the bonus is paid to the concerned workers. Said evidence is filed along with Exhibit C-5 Sr.Nos.1 to 25. Workers involved in this reference have never demanded for performance pay.

14. It is correct to say that Suhas Kudale, Vikas Patil, Uttam Pharakate, Rajendra Kambale, Raghunath Khade, Rajendra Saruk, Navnath Sawant, Keshav Rakshe, Vishal Achalkar, Dashrath Kale, Irfan Shaikh, Ravindra Chabukswar and Datta Kharat are our employees. They are working since 2016 till date. All of them are workin in "K" Band. It is not correct to say that salary of these workers is increased almost every year from the year 2016. Salary of the workers is paid by bank transfer in their salary accounts with different banks. I am not aware as to whether we have issued any letter to the bank for transferring the salary to above referred employees. We are issuing salary slips to those workers. It is not correct to say that one copy of such salary slip lies with the company. We have paid approximately amount of Rs.3 to 5 lakhs to the above employees in the year 2022. It is correct to say that such amounts are not paid to the workers involved in this reference. I cannot tell as to whether salary of above referred employees is more than the

salary of the workers involved in this reference. I cannot tell as to whether I do not have any difficulty in producing salary record of above employees for the period from 2016 to 2021.

15. It is partially correct to say that the number of employees is almost the same from the year 2016 till date. I cannot tell as to how many employees in K Band are increased from the year 2016. I cannot tell as to whether I have no difficulty for filing details of number of employees in K Band from the year 2016 till date. It is partially correct to say that the number of employees is almost the same from the year 2016 till date working in all the categories. Partially correct means I do not have the exact record of the same. Salary of the concerned workers is increased for one or two times. I cannot tell as to how much salary of the concerned workers is increased. I cannot tell as to whether I have any difficulty in filing salary record of the concerned workers from the year 2016.

16. It is true to say that Shri. Sanjay Kumar Bajbalkar, Abhijeet Choudhary, Vinayak Mundhe, Rahul Gavane and Vaibhav Sawant are working with us from the year 2015. Previously they were working in K band, subsequently they are placed in A band. Salary of these employees is increased every year. I am not

aware as to whether educational qualification of Rahul Gavane is 8th standard pass.

17. Our factory is situated in Khandala. Adjacent talukas for Khandala are Bhor and Wai. I am not aware as to whether there is no any other unit like ours in all the above talukas. I cannot tell as to whether it was not difficult for me to produce audited balance sheet and audited reports of Interio division from the year 2015-16 to 2020-21. I am not aware because it is not my role to produce the documents. Our unit at Khandala was established in the year 2011. Prior to year 2011, our unit was at Mumbai. Mumbai unit is now shifted at Khalapur. I do not remember as to when Mumbai Unit was established. It is not true to say that our units are at Bhagwanpur in Uttarakhand and Bhuvaneshwar in Orissa also. It is not correct to say that Khalapur unit is in existence prior to the establishment of Khandala Unit. Our Mumbai unit was established prior to unit at Khandala. In Khalapur also furniture is manufactured, but products at Khandala and Khalapur are different. I am not aware as to how many employees are employed at Khalapur unit.

Cross incomplete. Adjourned on oral request of advocate for the Second Party union.

Date: 06.03.2026

Satara.

(S.V.Suryawanshi)
Presiding Officer,
Industrial Tribunal, Satara.