

Resumed on oath (17/01/2024)

Further examination in chief by Adv. Shri. Attar for the Second Party

11. The contents of my affidavit are true and correct. I signed on it after understanding it. I have filed my bank passbook issued by Cosmos Bank Branch Chinchwad. It is at Exh. U-23. I have filed the letter dated 21.12.2021 and 29.12.2021 issued to Police Commissioner, Pimpri Chinchwad and Vice-Chancellor of Savitribai Fule, Pune University. They are collectively at Exh. U-24. I have filed letter issued by Tahsildar Maval to PSI Police Station, MIDC Talegaon dated 30.11.2018. It is at Exh. U-25.

Cross examination by Adv. Shri. A.D. Patwardhan for the First Party

12. In the year 2013, when I joined I was getting salary of Rs. 10,000/- per month. The salary shown in letter at Exh. U-24 issued to Police Commissioner is Rs. 18,030/- per month, which was the last salary drawn by me. It is not true to say that I falsely deposed that my salary was Rs. 12,000/- per month in my affidavit. Initially, I was working under trust and subsequently, I was working in MBA College. I worked in MBA College since starting of said college in the year 2014 till 2018. In MBA College, I have done the work told to me as Lab Assistant. It is true to say that in MBA College, laboratory is not in existence.

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13. I became member of Pune Mazdoor Sanghatana after 20.11.2018. It is true to say that I became member of Second Party union as I was terminated from service. The Second Party union having receipts to show that I became its member. I was not the office bearer of the Second Party union at any time. I have gone through the letter given by Second Party union to the First Party on 10.12.2018. The said letter dated 10.12.2018 does not bear my signature. Witness Volunteers that it bears signature of President of union. I have not demanded the First Party that I required written appointment letter at any time. It is true to say that the First Party is the educational institution where I was working. I am aware that rules of University Grants Commission is applicable to the educational institution. I have not made any complaint personally with UGC that I am not getting facilities and benefits claimed by me. I have personally made complaint with Pune University that I am not getting facilities and benefits claimed by me. Myself and co-employees not gave written complaint to the management of the First Party on 20.11.2018 regarding our termination on 20.11.2018. We have also not made written complaint regarding termination in entire month of November 2018. We have not made written complaint to Pune University about our termination in entire month of November 2018. It is true to say that first complaint about our termination was made to Labour Office.

14. It is true to say that since joining in service my salary used to get deposited in bank through cheque. It is true to say that my said bank account was my personal bank account. Since opening of account, the management used to withdraw money from my bank account. I have not made any written complaint during the period

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from 2014 to 2018 regarding withdrawal of money by management from my bank account. It is true to say that amount used to be withdrawn from my bank account on my signature. It is true to say that I made complaint to police in the year 2018 regarding withdrawal of money from my bank account by management. I have pursued the complaint lodged by me with police. The investigation by police is still going on. I do not know whether investigation in my complaint was closed by police or not.

15. It is true to say that till termination, I have worked in educational institution. I do not know that law relating to bonus is not applicable to First Party, hence bonus was not given to us. It is not true to say that at the time of Diwali festival, First Party used to give ex-gratia amount instead of bonus.

16. It is true to say that First Party not given in writing asking us to go for work through contractor. It is true to say that I used to receive my salary through First Party. It is true to say that I made complaint to Provident Fund Department regarding my provident fund. It is not true to say that First Party never terminated me from service and I am deposing falsely.

NO RE-EXAMINATION

R. O. I. A. C.

Pune:
Date : 17/1/2024

(K. N. Gautam)
Presiding Officer,
Industrial Tribunal, Pune.