

Examination-in-chief of witness of respondent by Shri. R. R. Pitekar, Advocate, holding for Shri. S.V. Dankh Advocate for respondent :

1] The contents of my evidence affidavit are true and correct. It bears my signature.

Cross-examination of the witness of the respondent by Shri. Sagar Vidwauns, Advocate for complainant :

2] I have completed Diploma in Mechanical Engineering. I am working as Production Head in the respondent factory. I have worked in 5 companies prior to joining in respondent factory. Since last 5 years i.e. August 2021 I am working in the plant of respondent factory. It is true to say that I do not have acquaintance with the complainant in present case. I have deposed on the basis of documents of the respondent factory. The complainant was working in assembly department of respondent factory. I do not remember since when the complainant is working in the assembly department.

3] It is true to say that the respondent company is in the process of manufacturing of different types moulds. There are 105 workers in respondent factory. There are 70 people working in manufacturing department of respondent factory. There are other departments in respondent factory such as assembly, machine shop, purchase, design, store, tooling management, quality and maintenance. There is no head of department for each department of the factory but there are certain department to whom head of department is appointed. The complainant was working in assembly department. There is head of department in the assembly department. There is cell leader in assembly department after the

head of the department. After the cell leader there is supervisor post in the assembly department. The head of department, cell leader and supervisor are not working on the machines. The person who is working on machine is called Engineer or Senior Engineer as per experience. The complainant was doing manual work for certain conditions in the assembly department. I do not know whether any worker was working under the complainant's supervision. It is true to say that as per my statement in para NO. 5 of affidavit the complainant was required to do improve mould quality and ensure hand work reduction, improvement in productivity, ensure on timely completion of assembly activity, conduct first time right job, conduct TPM activities, audit, arranging indent from purchase department.

4] It is true to say that the indent purchasing can not be made on the sole signature authority of the complainant. I can not produce documentary proof to show that the complainant had imparted training to the apprentice / trainee / fellow employees. I cannot produce documentary proof of work administer the work of his section or department, carry out mould activities as per CAD, 5-S activities, identifying losses in his department, day to day updation of job card, rectification of mould parts, study of drawing carried out by complainant. It is true to say that to assemble a mould in given time is a manual activity and the complainant was performing manual activities. I cannot produce documentary proof to show that to produce the documents regarding the complainant representation independently at any customer inspection or audit to the extent of his department.

5] It is true to say that to carrying out duties of accurate fitting of dies, jigs, fixtures is manual work. It is true to say

that the work of reading complex drawing cannot be done by the general person unless having technical education. It is true to say that identification and diagnosis of faults in moulds and tools is a manual and technical activity. I do not have document to show that the complainant has carried out supervision work on his team members, trainees, apprentice etc. for any involvement in machine, fitting and assembly. It is true to say that carrying out various measuring equipments stated in para No. 5(g) of affidavit is manual as well as technical work. It is true to say that the complainant or any other person working as per his post was not doing the work stated in para No. 5(h) of affidavit. It is true to say that work stated in para No. 5(i) of affidavit was done by the complainant in respect of his own work only. It is true to say that the work stated in para No. 5(k) of affidavit is required to be done by all workers in the factory independently. It is true to say that I have not filed any independent document to show that the work carried out by complainant as stated in para No. 5(l) of affidavit. It is true to say that I have not filed any document on record to show that the complainant was doing supervisory work and authorized to sign on any documents on behalf of his department as stated in para No. 6 of affidavit. The chart at Exh. C-18 is shown to the witness. I can tell what work was carried out by the complainant as per chart. The complainant has carried out work on which date, in which work center and which mould number and total work time. It is true to say that as per chart at Exh. C-18 the complainant has carried out work manual as well as technical. It is true to say that the work as per chart C-18 is still carried out in the factory. There are 70 number of workers in production department for carrying out work as per chart C-18.

6] I do not know that there is documentary proof on record to show that the complainant was doing supervisory work directly in the department on other permanent workers of the factory. It is not true to say that I have falsely stated that complainant was doing supervisory work. It is not true to say that I have deposed falsely.

Cross-examination : Completed.

Re-examination: Nil.

R.O.A.C.,

(D. S. Khedekar)

Judge,

Labour Court-1, Aurangabad

Date : 29/01/2026