

**In the Labour Court at Kalaburagi
Ref.No.1 of 2018**

Name: Basavaraj Patil

Mw.2

Father's Name: Apparao Patil

Duly sworn on : 01-07-2019

Age: 57 Years

Occupation : Executive Engineer, GESCOM, Bidar

Place: Bidar

**Examination in chief on other Issue by Sri.PNR for
R3 to R6 :**

1. I state on oath that whatever I have stated in my affidavit filed today are true to the best of my knowledge, information and belief. I have gone through its contents and affixed my signature on each page thereof.

2. I have produced the copy of official memorandum dated 12-12-2007, five wages paid ledger extracts for 2007-08. They are marked as **Ex.M2 to M7** respectively.

3. Cross examination by Sri.PVK for the 1st party: I have gone through the relevant records before

-2-

coming to court today. It is correct to suggest that we have records to show the actual number of days the first party workmen have worked and for how many days their services was discontinued.

4. It is not correct to suggest that they were appointed on the basis of merit after conducting interview. It is true to suggest that the minimum qualification for appointment as a junior assistant is 10th pass. It is correct to suggest that the first party consists of 7 graduates and one PUC pass. Junior assistants do clerical job. It is correct to suggest that they will be posted to do clerical work in the various sections of our department including ledger maintenance.

5. It is not correct to suggest that the first party workmen have worked as junior assistants in the ledger maintenance department for 9 to 12 years. Based on records I have stated that the first party workmen were taken on contract basis. I do not have information with regard to regularizing the services of such employees pursuant to the order passed by the Hon'ble High Court. When suggested that whenever there was necessity there was appointment made though there was no sanctioned post, witness states that such course was

-3-

adopted, at that point of time. When suggest that the first party workmen have worked under the executive Engineer of Bidar division up to 2008, witness states that with break in service, they have worked till January 2008.

5. It is not correct to suggest that after January 2008 we have systematically prevented them from working on the assurance that their services will be regularized in a phased manner. When suggested that some workers who had put in 6 years of service were regularized, the witness states that services of 6,000 gangmen working in GESCOM for 6 years, were regularized on the basis of the G.O.

6. When suggested that the second party is bound to regularize the services of the first party workmen and they have put in nearly 9 to 12 years of service, witness states that there is no such requirement. It is not correct to suggest that in order to avoid reinstatement and regularization of their services, I have intentionally not produced the relevant records before the court. It is not true to suggest that Ex.M2 is unconnected with this case or that I have produced the same to derail the enquiry.

-4-

7. When suggested that Ex.M3 to M7 do not bear the signature of the person receiving the salary or one who disbursed the same, witness states that it is a Divisional Office record and payment would be made at the concerned sub Division. It is not correct to suggest that Ex.M3 to M7 are concocted to mislead the court. It is not correct to suggest that I am deposing falsely. There is no impediment to produce the relevant records before the court.

Re-examination : Nil

(Typed to my dictation in the open Court)

R.O.I & A.C

**P.O., Labour Court
Kalaburagi**

Witness duly sworn on 10/6/2019

**Further examination in chief/Cross examination/
Further cross examination by Sri. for the 1st
party/2nd party**

