

In the matter of an industrial dispute between M/s. Gati Kintetsu Express Pvt. Ltd., P – 18, Taratala Road, Kolkata -700 088 and its workman Smt. Pinki Kahar, 1/2A/H/2, Cossipore Road, Kolkata – 700 002 vide G.O. No. Labr/29Lt/(LC-IR)/22015(16)/645/2019 dated 15.03.2019.

(Case No. VIII-05/2019)

Before the Eighth Industrial Tribunal: West Bengal

**Present Sri Amit Chattopadhyay
Judge,
Eighth Industrial Tribunal,
West Bengal**

Smt. Pinki Kahar **Applicant / workman**

Vs.

M/s. Gati Kintetsu Express Pvt. Ltd..... **O.P. Company**

A W A R D

Dated: 12.12.2024

Received a copy of order of reference vide G. O. No. Labr/29Lt/(LC-IR)/22015(16)/645/2019 dated 15.03.2019 from the Labour Department, Govt. of West Bengal and reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960 referring an industrial dispute which exists between M/s. Gati Kintetsu Express Pvt. Ltd., P – 18, Taratala Road, Kolkata -700 088 and its workman Smt. Pinki Kahar, 1/2A/H/2, Cossipore Road, Kolkata – 700 002 for adjudication.

The said Seventh Industrial Tribunal shall submit its award to the State Government within a period of three months from the date of receipt of this order by the said Seventh Industrial Tribunal in terms of Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), subject to the other provision or provisions of the said Act.

The said Seventh Industrial Tribunal shall meet at such places and on such dates as it may direct.

In view of G.O. No. Labr./700/(LC-IR)/23099/15/2019 dated 26.07.2019 this case has been withdrawn from the file of 7th Industrial Tribunal and transferred the same to the Eighth Industrial Tribunal, Kolkata, for adjudication.

ISSUE(S)

1. Whether the dismissal of Smt. Pinki Kahar w.e.f. 11.01.2018 by the management of M/s. Gati Kintetsu Express Pvt. Ltd. is justified?
2. To what relief is she entitled?

As per written notes of argument on behalf of the workman above-mentioned the case of the workman is that initially the petitioner was joined on 21.11.2007 in Gati hearing school as GTRN Trainee with a monthly stipend of Rs. 4630/- per month as per the letter of intimation dated 15.11.2007 Ext. P1 + P2.

After completion of training the petitioner was offered an appointment as Associate. Service Level A-II by the Opposite Party in their organization w.e.f. 2nd June, 2008 in this Kolkata Office CCUN with a salary tune of Rs. 90,009/- per annum and covered under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, gratuity as per the

I/592189/2025

Government of West Bengal
Labour Department, I. R. Branch
N.S. Building, 12th Floor, 1, K.S. Roy Road, Kolkata – 700001

No. Labr/ 06 / (LC-IR)/22015(11)/12/2019

Date : 03-01-2025

ORDER

WHEREAS under reference of Labour Department's Order No. Labr/29Lt/(LC-IR)/22015(16)/645/2019 dated 15.03.2019 reference of the Industrial Dispute between M/s. Gati Kintetsu Express Pvt. Ltd., P – 18, Taratala Road, Kolkata -700088 and their workman Smt. Pinki Kahar, 1/2A/H/2, Cossipore Road, Kolkata – 700002, regarding the issues mentioned in the said order, being a matter specified in the Second Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Eighth Industrial Tribunal, Kolkata.

AND WHEREAS the said Eighth Industrial Tribunal, Kolkata, has submitted to the State Government its Award dated 12.12.2024 in case No. VIII-05/2019 on the said Industrial Dispute vide E-mail dated 27.12.2024 in compliance of u/s 10(2A) of the I. D. Act, 1947.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE

(Attached herewith)

By order of the Governor,



Assistant Secretary

to the Government of West Bengal

No. Labr/ 06 /1(5)/(LC-IR)/ 22015(11)/12/2019

Date : 03-01-2025

Copy, with a copy of the Award, forwarded for information and necessary action to:

1. M/s. Gati Kintetsu Express Pvt. Ltd., P – 18, Taratala Road, Kolkata -700088.
2. Smt. Pinki Kahar, 1/2A/H/2, Cossipore Road, Kolkata – 700002.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B. New Secretariat Building, 1, K. S. Roy Road, 11th Floor, Kolkata- 700001.
5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.



Assistant Secretary

No. Labr/ 06 /1(3)/(LC-IR)/ 22015(11)/12/2019

Date : 03-01-2025

Copy forwarded for information to :

1. The Judge, Eighth Industrial Tribunal, Kolkata, N.S. Building, 2nd Floor, 1, K.S. Roy Road, Kolkata-700001 with reference to his E-mail dated 27.12.2024.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.
3. Office Copy.



Assistant Secretary

