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## PART I : SECTION (I) – GENERAL

### Government Notifications

#### THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

THE award transmitted to me by the Arbitrator to whom the Industrial Dispute which has arisen between Mr. D. R. U. J. Weerasekera, C/O, Mr. H. M. Somasiri Siri, Chandana Stores, Malwattawala Junction, Weerasekaragama, Wellawaya and Pelwatte Sugar Industries Ltd., No. 27, Melborn Avenue, Colombo 04 was referred by order dated 30.10.2002 made under section 4(1) of the Industrial Disputes Act Chapter 131, (As amended) for settlement by arbitration is hereby published in terms of Section 18 (1) of the said Act.

MAHINDA MADIHAHEWA  
Commissioner General of Labour.

Department of Labour,  
Colombo 05.  
27th May, 2004.

IN THE MATTER OF AN INDUSTRIAL DISPUTE

between

Mr. D. R. U. J. Weerasekera, C/O, Mr. H. M. Somasiri, Siri Chandana Stores, Malwattawala Junction, Weerasekaragama, Wellawaya.

AND

Pelwatte Sugar Industries Ltd, No. 27, Melborn Avenue, Colombo 04.

#### THE AWARD

The Hon. Minister of Employment and Labour by virtue of the powers vested in him by Section 4(1) of the Industrial Dispute Act, Chapter 131 of the Legislative Enactments of Ceylon (1956 Revised Edition), as amended by Acts Nos. 14 of 1957, 62 of 1957, 4 of 1962 and 39 of 1968 (read with Industrial Disputes (Special Provisions) Act No. 37 of 1968) appointed me as Arbitrator by his order dated 30.10.2002 and referred the aforesaid dispute to me for settlement by arbitration.

The matter in dispute between the aforesaid parties is whether the non granting of the promotion of "Grade P-2" by the Pelwatte Sugar Industries Ltd. to its employee Mr. D. R. U. J. Weerasekera is justified and if not to what relief he is entitled.

The workman D. R. U. J. Weerasekera did not appear before this Tribunal though noticed.

I however by virtue of the powers vested in me under Section 31(c) of the Industrial Disputes Act despite his absence made inquiries to ascertain the matters relating to the reference and is of view that

- (a) the workman had been promoted to Grade P2 with effect from 01.09.2000 and
- (b) that with the promotion he had be placed at the salary of Rs. 5830 per mensum with effect from 01.09.2000 and
- (c) that with the increment due on 01.04.2001 he had been placed on the salary scale of Rs. 6267 and
- (d) that with the increment that fell due on 01.09.2002 he was placed on the salary scale of Rs. 6375 and
- (e) that all arrears of salary from 01.09.2000 had been paid.

I determine and hold that the workman is not entitled to any further relief and make no award.

A. SRI NAMMUNI,  
Arbitrator.

Dated at Colombo  
this 06th day of April 2004.