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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1672/7 - 2010 සැප්තැම්බර් 20 වැනි සඳුදා - 2010.09.20

No. 1672/7 - MONDAY, SEPTEMBER 20, 2010

(Published by Authority)

## PART I : SECTION (I) — GENERAL

### Government Notifications

*My No. : IR/10/01/2009.*

and

#### THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

THE Award transmitted to me by the Arbitrator to whom the Industrial Dispute which has arisen between Mr. S. A. Ananda Ranjan, No. 143/10, Galle Road, Colombo 03 of the one part and Milco (Private) Limited, No. 45, Nawala Road, Narahenpita, Colombo 05 of the other part was referred by order dated 11.08.2010 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.

W. J. L. U. WIJAYAWEERA,  
Commissioner General of Labour.

Department of Labour,  
Labour Secretariat,  
Colombo 05,  
02nd September, 2010.

#### In the Matter of the Industrial Dispute Between :

01. Mr. S. A. Ananda Ranjan,  
No. 143/10, Galle Road,  
Colombo 03.

02. Milco (Private) Limited,  
No. 45, Nawala Road,  
Narahenpita,  
Colombo 05.

*Other Part (Second part) .....*  
Case No. : A/3327

#### THE AWARD

The Honourable Minister of Labour Relations and Manpower do by virtue of the powers vested in him by Section 4(1) of the Industrial Disputes Act, Chapter 131 of the Legislative Enactments of Ceylon (1956 Revised Edition) as amended by Acts, Nos. 14 of 1957, 4 of 1962 and 39 of 1968, read with the Industrial Disputes (Special Provisions) Act, No. 37 of 1968, appointed me as the Arbitrator by his order dated 24th March, 2010 and referred the dispute between the aforesaid parties to me for settlement by Arbitration.

The matter in dispute between the aforesaid parties is :-

“Whether the demand of Mr. S. A. Ananda Ranjan who is presently assigned with the duties in the post of Acting

*one Part (First Part) .....*

1A - G13442— 345 (2010/09)

1A

Assistant Manager (Accounts) of Milco (Private) Limited be placed in the post of Assistant Manager (Accounts) Grade II with effect from 01st February, 2004 by the said Company is justified and to what relief he is entitled.”

Appearances :

Mr. S. A. Ananda Ranjan, party of the 1st part appeared by himself.

and

Mrs. Uthara Rodrigo, Attorney-at-Law appeared for the party of the 2nd part.

In terms of Regulation 21 read with its sub-sections of the Industrial Disputes Regulations 1958, parties, namely; the employee above-mentioned party of the 1st part (herein after referred to as First Part) and the employer above mentioned Party of the 2nd Part (herein after referred to as Second Part) were notified and required them to file their statement of claims. Accordingly both parties submitted their detailed statement of claims with certain annexures. On the very first date of inquiry that is, on 30th April, 2010 an attempt was made by me to effect an amicable settlement between the parties. However, after a few sittings, on 11th August, 2010 parties have arrived at an amicable settlement.

The terms of settlement are detailed below :-

- (1) The First Part, Mr. S. A. Ananda Ranjan will be promoted to the post of Assistant Manager (Finance) Grade II with retrospective effect from 1st of February, 2004 and will be placed at a salary point of Rs.15,300.00 (Rupees Fifteen Thousand and Three Hundred ) by the Second Part.
- (2) For the First Part, Annual increment will be effective with effect from 1st of February, 2005 at the rate of Rs.800.00 per annum, as agreed by the Second Part.
- (3) For the First Part, Special increments awarded in lieu of the said promotion ceased to be effective from 01st January, 2006 by the Second Part.
- (4) For the First Part, Arrears of Salary, if any, upto the month of August 2010 will be paid by 31st of August, 2010 by the Second Part.

- (5) The following payments paid during the period of 01st February, 2004 to 31st August, 2010 to the First Part will be recovered from Mr. S. A. Ananda Ranjan in due course by the Second Part, if any, namely;

- (i) Acting Allowance paid to him with effect from 9th March 2007 upto July, 2010.
- (ii) Attendance incentives applicable to Grade III and below.

- (6) The First Part is entitled to fuel reimbursement of Assistant Managers effective from the month of February 2004 by the Second Part.
- (7) For the First Part, entitlement of EPF, ETF and Holiday pay arrears will be settled by 31st of August, 2010 by the Second Part.
- (8) The First Part, Mr. S. A. Ananda Ranjan's seniority will not be affected and his qualifications and experience should commensurate within the Management's System.

Accordingly the party of the 2nd part and the party of the 1st part having read and understood the terms of agreement, both parties have signed the record today in the Open Court, in my presence.

This will be the full and final settlement of all claims regarding this dispute.

This deems to be just and equitable award in the circumstances. This award would come into force with retrospective effect from 01st of February, 2004.

T. Edmund Santharajan,  
Arbitrator.

Dated at Colombo  
on this 11th day of August, 2010.

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