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# The Gazette of the Democratic Socialist Republic of Sri Lanka

## EXTRAORDINARY

අංක 1436/15 - 2006 මාර්තු 15 වැනි බදාදා - 2006.03.15  
No. 1436/15 - WEDNESDAY, MARCH 15, 2006

(Published by Authority)

### PART I : SECTION (I) — GENERAL

#### Government Notifications

My No. : T23/CO/211/2003.

#### THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

THE Award transmitted to me by the Arbitrator to whom the Industrial Disputes which has arisen between Mr. K. W. L. Wijayawardena No. 273, B/2, Dharmapala Mawatha, Thalawathugoda and Ceylon Electricity Board, No. 50, Sir Chittampalam A. Gardiner Mawatha, Colombo 02 was referred by order dated 09.11.2004 made under Section 4(1) of the Industrial Disputes Act, Chapter 131 (as amended and published in the *Gazette of the Democratic Socialist Republic of Sri Lanka Extraordinary* No. 1367/29 dated 19.11.2004 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,  
Labour Secretariat,  
Colombo 05,  
24th February, 2006.

Ref. No. : T23/Co/211/2003.

In the matter of Industrial Dispute  
Between

Mr. K. W. L. Wijayawardane,

No. 273, B/2, Daharmapala Mawatha, Talawathugoda of the one part,  
and

Case No. : A. 3077

Ceylon Electricity Board,

No. 50, Sir Chithampalam A. Gardinar Mawatha,  
Colombo 02.

of the other part.

## AWARD

The Honourable 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, No. 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 the Arbitrator by his Order dated 09th November, 2004 and referred the dispute between the aforesaid parties to me for settlement by arbitration.

The matters in dispute between the aforesaid parties are -

- (1) Whether the using a vehicle on rent by Mr. K. W. L. Wijayawardhana Grade I Electrical Engineer who was serving as the Deputy General Manager of the Ceylon Electricity Board (North Central Province) for his official duties that was not registered at the time of inviting for quotations but subsequently registered under number 300-2221 was violative of the regulations of the Ceylon Electricity Board ; and
- (2) Whether the subsequent imposition of punishment to Mr. K. W. L. Wijayawardhana on the findings of a disciplinary inquiry held into the above matter by the Ceylon Electricity Board is justified and if not, to what relief Mr. K. W. L. Wijayawardhana he is entitled.

*Appearances* : Mr. S. Egalahewa, Attorney-at-law for the Respondent, assisted by Mrs. A. K. L. Perera, Human Resource Officer and Mr. E. Cabraal for the Workman.

The question of settlement was discussed. Negotiations ensued for sometime and it was agreed to settle as follows :-

1. The Respondent Board is prepared to settle this with a reduction of two increments for one year amounting to Rs. 26,040 in all. The workman accepts this amount as correct.
2. The applicant will be given the credit of two increments effective from 20th April, 2003 in addition to the normal increments.
3. The matters contained in the reference to me will not be pursued.
4. According to the Circular No. : 1998/GM/48/HRD of December, 31st 1998 he is eligible for subsequent promotion.
5. According to Circular No. : 2002/GM/31/Policy of 15th October, 2002 he is eligible for Extension of Service under normal circumstances beyond the age of 57 years.

I consider this settlement fair and reasonable and make award accordingly.

I direct the Respondent Board to comply with this award within thirty days of its publication in the government gazette of the Democratic Socialist Republic of Sri Lanka.

V. VIMALARAJAH,  
Arbitrator.

Date at Colombo this 08th day of February, 2006.

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