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EXTRAORDINARY

අංක 1445/23 - 2006 මැයි 19 වැනි සිකුරාදා - 2006.05.19
No. 1445/23 - FRIDAY, MAY 19, 2006

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

My No. : T 23/P/06/2002.

AWARD

THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

THE Award transmitted to me by the Arbitrator to whom the Industrial Dispute which has arisen between Mr. K. Sothivel, No. 6, Malarawa, Mirahawatte S.P.O., *via* Bandarawela and Ceylon Workers' Congress No. 72, Ananda Kumaraswamy Mawatha, Colombo 07 was referred by order dated 31.07.2003 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,
Labour Secretariat,
Colombo 05,
11th May, 2006.

IN THE MATTER OF AN INDUSTRIAL DISPUTE

CA. No. : 2999.

between

K. Sothivel, No. 6, Malarawa, Mirahawatte,
S.P.O., *via* Bandarawela.

AND

Ceylon Workers' Congress,
No. 72, Ananda Kumaraswamy Mawatha,
Colombo 07.

The Honourable Minister of Employment and Labour 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 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 Arbitrator by his order dated 31.07.2003 and referred the dispute between the aforesaid parties to me for settlement of arbitration.

The matters in dispute between the aforesaid parties are :

“Whether the 30% salary increase granted to the staff of the Ceylon Workers' Congress from the year 1993 should be paid by the said Union to Mr. K. Sothivel for the period of 1993 to March 1997 during which period he had been a member of the Pradheshiya Sabha while serving as a District Representative of the Ceylon Workers' Congress and if not, to what relief he is entitled”.

Appearances : Mr. Suppiah for the workman Late Mr. Walwin Gunatillake, Attorney-at-Law appeared initially for Ceylon Workers' Congress. Later Mr. M. B. Jayasinghe, Attorney-at-Law appeared for the Congress assisted by Mr. Senathirajah, Attorney-at-Law.

Negotiation ensued for a long time. The matter was settled. It is common ground that the total commitment in respect of the matter referred for arbitration is Rs. 52,965. It was agreed that the sum of Rs. 52,965 will be paid in two installments as follows -

The first installment of Rs. 30,000 - 22.03.2006
The second installment of Rs. 22,965 - 21.04.2006

The first installment of Rs. 30,000 and the second installment of Rs. 22,965 were paid before me on 22.03.2006

and 21.04.2006 respectively. The Record was signed by both parties.

I, consider this settlement fair and reasonable and make Award Accordingly.

V. VIMALARAJAH,
Arbitrator.

21st April, 2006.

06-143