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# The Gazette of the Democratic Socialist Republic of Sri Lanka

## EXTRAORDINARY

අංක 1447/6 - 2006 මැයි 29 වැනි සඳුදා - 2006.05.29  
No. 1447/6 - MONDAY, MAY 29, 2006

(Published by Authority)

## PART I : SECTION (I) — GENERAL

### Government Notifications

My No. : 24/2002.

Lanka General Services Union,  
No. 10/1, 1/1, Kotugodella Veediya,  
Kandy.

#### THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

Case No:  
A/3058

and

Ceylon Tobacco company Ltd.,  
No. 178, Sirimath Ramanadan Mawatha,  
Colombo 15,

THE interpretation made on 25th April, 2006 and transmitted to me by the Arbitrator under Section 34(1) of the Industrial Disputes Act to his Award No. A 3058 of 25th January, 2005 with regard to the Industrial Dispute arisen between the Lanka General Services Union No. 10/1, 1/1, Kotugodella Veediya, Kandy and Ceylon Tobacco company Ltd., No. 178, Sir Ramanadan Mawatha, Colombo 15, referred under Section 4(1) of the 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.

Minister of Labour Relations and Foreign Employment do 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 Industrial Disputes (Special Provisions) Act, No. 37 of 1968 referred the aforesaid dispute to me for settlement by Arbitration.

The matter in dispute between aforesaid parties is :

Department of Labour,  
Labour Secretariat,  
Colombo 05.  
10th May, 2006.

- (1) Whether there is any discrepancy between the amount of Compensation paid by the Ceylon Tobacco Company to Mr. M. R. S. Withanage who served as field officer of the Company and that of so paid to Executives in the similar grades under the Voluntary

Retirement Scheme and if so, to what amount of Compensation he is entitled.

(2) Whether the deprival of Mr. M. R. S. Withnaga the right to purchase the vehicle used last at a concessionary rate allowed by the Company to the Managers who retire voluntarily is justified and if not, to what relief he is entitled ; and

(3) Whether the non computation of the annual increment due for the year 1993 for the purpose of payment of gratuity and compensation to Mr. M. R. S. Withanaga by the Ceylon Tobacco Company is justified and if not, to what relief he is entitled.

***Interpretation of the Award in this Case dated 25th January, 2005 in terms in Section 34(1) of the Industrial Disputes Act.***

I refer to the Award in this case published in the Government Gazette No. 1384/27 dated 18.03.2005.

The Applicant Union made an Application to me to interpret issue (2) decided in the said Award.

Whether the valuation of the vehicle shall be valued at the current rate or it should be on the same concessionary rate that was offered to the other officers, who left employment in the similar manner the workman concerned in this case left employment during the period of the year 1999 - 2000.

This matter was taken up for inquiry on 12.01.2006. Both parties were present, Mr. J. Maliyagoda appeared for the Applicant Union and Mr. R. Ranawake Attorney-at-Law appeared for the Respondent.

On this date, both parties arrived at a settlement, on the suggestion of Court, that the Applicant pays the Respondent Company a sum of Rs. 4,25,000/- (Rupees four Lakhs Twenty Five Thousand) and purchase the vehicle bearing No. 59/0045.

Both parties were directed by me to give effect to the said settlement and report to Court on 13.03.2006.

On 13.03.2006, Both parties were present and reported to Court that this matter was settled in terms of the said settlement.

This matter has been settled to the satisfaction of both parties.

I make Award in interpretation in terms of Section 34(1) of the Industrial Disputes Act.

K. R. M. N. LAWRENTA,  
Arbitrator.

Dated on this 25th Day of April, 2006.

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