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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1676/16 - 2010 ඔක්තෝබර් 21 වැනි බ්‍රහස්පතින්දා - 2010.10.21

No. 1676/16 - THURSDAY, OCTOBER 21, 2010

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

My No. : IR/21/59/2007.

In the Matter of an Industrial Dispute Between :

THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

THE Award transmitted to me by the Arbitrator to whom the Industrial Dispute which has arisen between Samastha Lanka Eksath Sewaka Sangamaya, No. 103, P. S. Perera Mawatha (Opposite Hall), Mampe, Piliyandala of the one part and Lanka Tiles Limited, No.34/5, W.A.D. Ramanayaka Mawatha, Colombo 02 of the other part was referred by order dated 30.09.2008 made under section 4(1) of the Industrial Disputes Act, Chapter 131 (as amended) and published in the Gazette of Democratic Socialist Republic of Sri Lanka extraordinary No. 1570/11 dated 07.10.2008 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,
07th October, 2010.

1A - G13612— 345 (2010/10)

Samastha Lanka Eksath Sevaka
Sangamaya
No. 103, P. S. Perera Mawatha
(Opposite Hall),
Mampe,
Piliyandala.

of the other Part (First Part)

Case No. : A/3260'.

and

Lanka Tiles Limited,
No. 34/5, W.A.D. Ramanayaka
Mawatha,
Colombo 02.

of the Other Part (Second part)

On this 30th day of August 2010

THE AWARD

The Honorable Minister of Labour Relations and Manpower by virtue of the powers vested in him by Section 4(1) of the Industrial Disputes Act No. 43 of 1950 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 Provision) Act No. 37 of 1968, appointed me as the Arbitrator by his order dated 30th September, 2008 and referred the following disputes to me for settlement by arbitration

The matter in Dispute between the aforesaid parties is :-

Whether any injustice was caused to Mr. Anura Wickramasinghe who was employed at the factory of Lanka Tiles Limited, situated at Jaltara, Ranala in consequence of the decision taken by the Inquiring Officer at the second domestic disciplinary inquiry held against Mr. Wickramasinghe as found guilty to all the charges framed against him in spite of her own decision as the same Inquiring Officer arrived at the first inquiry that he had been found not guilty to all the charges framed against him and if such injustice was caused to Mr. Anura Wickramasinghe, to what relief he is entitled as the relief measures for him.

Appearances : Mr. Wilbert Perera the representative, appeared for the Applicant and

Miss. Chathurika Silva, Attorney-at-Law, Appeared for the Respondent

The first statement on behalf of the Respondent (also referred to as the Party of the Second Part) Lanka Tiles Limited was filed under regulation 21 (1) and 21 (2) of the Industrial Disputes Regulation of 1958 as amended however the Applicant or the Party of the First Part did not file his statement.

Thereafter on 20th August, 2009 the virtual Applicant Mr. Anura Wickramasinghe appearing with a letter from Samastha Lanka Eksath Sevaka Sangamaya who filed this Application on behalf of the said virtual Applicant moved to withdraw the Application.

There being no objection from the Party of the Respondent I, allowing the said Application to withdraw dismissed the Applicant's Application for Arbitration.

Jayantha de Silva,
Arbitrator.