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The Gazette of the Democratic Socialist Republic of Sri Lanka

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අංක 1404/6 – 2005 අගෝස්තු 02 වැනි අඟහරුවාදා – 2005.08.02
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PART I : SECTION (I) – GENERAL

Government Notifications

My No. : T23/CO/43/2003.

**THE INDUSTRIAL DISPUTES ACT, CHAPTER 131 OF THE LEGISLATIVE ENACTMENTS
(1956 REVISED EDITION)**

Revocation of Order under Section 4 (1)

WHEREAS by Order made under Section 4(1) of the Industrial Disputes Act, Chapter 131 of the Legislative Enactments of Ceylon (Revised Edition 1956) as amended by Acts, Nos. 14 and 62 of 1957, 4 of 1962 and 39 of 1968 read with Industrial Disputes (Special Provisions) Act No. 37 of 1968 dated 12.07.2004 and published in the *Gazette of the Democratic Socialist Republic of Sri Lanka Extraordinary* No. 1349/14 of 15.07.2004 the Industrial Dispute in respect of the specified in the statement of the Commissioner of Labour dated 30.06.2004.

BETWEEN

Mr. U. H. Pemadasa, No. 28A 1/1, Devala Road, Nugegoda.

AND

Ceylon Heavy Industries and Construction Co. Ltd, Oruwala, Athurugiriya.

was referred to Mr. M. T. S. Fernando, No. 2A, Mahamegawatta Road, Maharagama for settlement by arbitration.

AND Whereas it is now deemed expedient that the revoked, I, Athauda Seneviratne Minister of Labour Relations and Foreign Employment do hereby revoke the said Order and further make Order that no proceedings be taken upon the said Order dated 12.07.2004.

ATHAUDA SENEVIRATNE,
Minister of Labour Relations and Foreign Employment.

28th July, 2005,
Colombo 05.

My No.: 23/CO/43/2003.

**THE INDUSTRIAL DISPUTES ACT, CHAPTER 131 OF THE LEGISLATIVE ENACTMENTS OF CEYLON
(1956 REVISED EDITION)**

Order under Section 4(1)

WHEREAS an industrial dispute in respect of the matter specified in the statement of the Commissioner of Labour which accompanies this order exists between,

Mr. U. H. Pemadasa, No. 28A 1/1, Devala Road, Nugegoda.

AND

Ceylon Heavy Industries and Construction Co., Ltd., Oruwala, Athurugiriya.

NOW THEREFORE I, Athauda Seneviratne, Minister of Labour Relations and Foreign Employment do by virtue of the powers vested in me 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) hereby appoint Mr. N. C. V. Kulatunga, C/A/3/7, Ranpokunugama, Nittambuwa to be the Arbitrator and refer the aforesaid dispute to him for settlement by arbitration.

ATHAUDA SENEVIRATNE,

Minister of Labour Relations and Foreign Employment.

28th July, 2005,
Colombo 05.

My No.: 23/CO/43/2003.

**THE INDUSTRIAL DISPUTES ACT, CHAPTER 131 OF THE LEGISLATIVE ENACTMENTS OF CEYLON
(1956) REVISED EDITION**

Order under Section 4(1)

WHEREAS an industrial dispute in respect of the matter specified in the statement of the Commissioner of Labour which accompanies this order exists between,

Mr. U. H. Pemadasa, No. 28A, 1/1, Devala Road, Nugegoda.

AND

Ceylon Heavy Industries and Construction Co., Ltd., Oruwala, Athurugiriya.

STATEMENT OF MATTER IN DISPUTE

The matter in dispute between the aforesaid parties is-

Whether the non confirmation in the post of Sales Manager by Ceylon Heavy Industries and Construction Co. Ltd. of Mr. U. H. Pemadasa who was appointed as the Sales Manager of the Company in the Acting capacity during the period from 11.05.1998 to 11.12.2002 is justified if not justified, to what rights and privileges he is entitled.

Whether Mr. U. H. Pemadasa is entitled to receive a payment on the basis of 5% of the salary for attending to the company's sales promotions work outside the office on Saturdays and Sundays during the period of May 1988 to December 2002 as the Acting Sales Manager of Ceylon Heavy Industries and Construction and Company Limited if so, what should be the quantum of payment.

MAHINDA MADIHAHEWA,
Commissioner of Labour.

Dated at the office of the Commissioner of Labour, Colombo,
This 14th day of July, 2005.