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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

අංක 2188/11 - 2020 අගෝස්තු මස 10 වැනි සඳුදා - 2020.08.10
No. 2188/11 - MONDAY, AUGUST 10, 2020

(Published by Authority)

PART I : SECTION (I) — GENERAL
Government Notifications

My No. : IR/COM/03/2017/58.

Ref. No. : IR/COM/03/2017/58.

THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

In the matter of an Industrial Dispute

THE award transmitted to me by the Arbitrator to whom the Industrial Dispute which has arisen between Inter Company Employees Union (on behalf of Mr. W. A. S. S. Kumara) 259/9, Sethsiri Mawatha, Koswaththa, Thalagama of the one part and Bogala Graphite Lanka Limited, P. O. Box 71041, Aruggammana of the other part was referred by order dated 07.02.2019 made under Section 4(1) of the Industrial Dispute Act, Chapter 131 (as amended) and published in the *Gazette* of the Democratic Socialist Republic of Sri Lanka Extraordinary No. 2110/39 dated 14.02.2019 for Settlement by Arbitration is hereby published in terms of Section 18(1) of the said Act.

Between

Inter Company Employees Union,
(On behalf of Mr. W. A. S. S. Kumara),
259/9, Sethsiri Mawatha,
Koswatta,
Thalagama.

and

Case No. A/10/2019

of one Part.

and

Bogala Graphite Lanka Limited,
P. O. Box 71041,
Aruggammana.

of the other Part.

A. WIMALAWEERA,
Commissioner General of Labour.

Department of Labour,
Labour Secretariat, Colombo 05.
14th July, 2020.



THE AWARD

The Honourable Minister of Labour and Labour Relations 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, Nos. 14 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 07th February, 2019 and referred the disputes following to me for settlement by Arbitration.

The matter in dispute between the aforesaid parties are :-

Whether Mr. W. A. S. S. Kumara who worked as a Wichman, Grade ii of Bogasla Graphite Lanka Limited had been caused injustice by being removed from the post of Winchman without a proper inquiry saying that he had done some mistake and being engaged in underground work and if such injustice had been caused, to what reliefs he is entitled.

Appearance :

Mr. Kithsiri Muhandiram, Human Resources Manager, appeared for the Party of the Second Part.

There was no appearance by the Part of the First Part.

Parties filed their 1st Statements.

The Party of the First Part failed to appear in 3 consecutive occasions wherefor the matter was dismissed.

In the circumstances I make no order.

KAPILA M. SARATHCHANDRA,
Arbitrator.

14th March, 2020.

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