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THE CEYLON GOVERNMENT GAZETTE

අංක 12,162 — 1960 ජූලි 22 වැනි සිකරාදා — 22.7.1960

No. 12,162 — FRIDAY, JULY 22, 1960

(Published by Authority)

PART I: SECTION (I) — GENERAL

(Separate paging is given to each language of every Part in order that it may be filed separately.)

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Appointments, &c., by the Governor-General

No. 298 of 1960

No. D11/Rect.

ARMY—REGULAR FORCE—COMMISSIONS APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL

HIS EXCELLENCY THE GOVERNOR-GENERAL has been pleased to approve the Commissioning of the under-mentioned Warrant Officers as Lieutenants and Quartermasters in the Regular Force of the Army and their posting to Corps/Regiments stated against their names, with effect from July 15, 1960:—

S/68004 T/W.O. I HUGH DOUGLAS DAVIS—Ceylon Electrical and Mechanical Engineers.

S/87008 T/W.O. I CHARLES NEWTON DE ALWIS—Ceylon Army Ordinance Corps.

By His Excellency's command,

H. E. TENNEKON,
Permanent Secretary,
Ministry of Defence and External Affairs.

Colombo, July 11, 1960.

No. 299 of 1960

No. D11/Rect.

ARMY—REGULAR FORCE—PROMOTION APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL

To be Captain and Quartermaster with effect from November 8, 1959—

Lieutenant and Quartermaster N. NADARAJASINGHAM, C.A.C.

By His Excellency's command,

H. E. TENNEKON,
Permanent Secretary,
Ministry of Defence and External Affairs.

Colombo, July 11, 1960.

No. 300 of 1960

No. D17/Rect.

ARMY—REGULAR FORCE—TRANSFER APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL

Transfer to the Ceylon Engineers, with effect from July 4, 1960—

Second-Lieutenant J. R. S. DE SILVA, S.R.

By His Excellency's command,

H. E. TENNEKON,
Permanent Secretary,

Ministry of Defence and External Affairs.

Colombo, July 12, 1960.

No. 301 of 1960

No. D31/Rect.

ARMY—REGULAR FORCE—AMENDMENT TO NOTIFICATION APPEARING IN GOVERNMENT GAZETTE No. 12,149 OF FRIDAY, JUNE 24, 1960, APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL

Notice No. 250 of 1960

Under “To be Temporary Captains”

For “Lieutenant F. W. A. DIAS, C.C.M.P.—with effect from February 9, 1960”.

Read “Lieutenant F. W. A. DIAS, C.C.M.P.—with effect from February 8, 1960”.

By His Excellency's command,

H. E. TENNEKON,
Permanent Secretary,

Ministry of Defence and External Affairs.

Colombo, July 12, 1960.

Appointments, &c., by the Public Service Commission

No. 302 of 1960

A. 159/57.

Mr. S. P. SYMS to be an Assistant Superintendent of Police with effect from November 15, 1957.

A. 71/60.

Mr. A. C. DEB to be a Superintendent of Police, Grade I, with effect from June 1, 1960.

A. 71/60.

Mr. F. N. D. JILLA to be a Superintendent of Police Grade I, with effect from January 17, 1960.

E. G. GOONEWARDENE,
Secretary,

Public Service Commission.

Office of the Public Service Commission,

P. O. Box 500,

Galle Face Secretariat,

Colombo 1, 18th July, 1960.

Appointments, &c., by the Judicial Service Commission

No. 303 of 1960

SUMMARY OF APPOINTMENTS MADE BY THE JUDICIAL SERVICE COMMISSION

Name of Officer	New Appointment	Effective Date of New Appointment	Remarks
Mr. I. M. ISMAIL	.. Additional District Judge etc., Kandy	From 27th June, 1960 ..	Until further orders
Mr. E. C. T. LA BROOY	.. Magistrate etc., Avissawella	.. From 27th June, 1960 ..	Until further orders
Mr. I. M. ISMAIL	.. Additional Magistrate etc., Gampola	From 29th July, 1960, to hear till completion M. C. Gampola Cases : 597, 1213, 9579, 640, 1582 & 510 & M. C. Nawalapitiya Cases : 7937, 8685, 6251, 8990, 1075, 8598 & 9523	In addition to his other duties
Mr. A. I. ABEYAWICKREMA	.. Additional Magistrate etc., Kegalla	15th July, 1960, to record evidence of Magistrate, Kegalla, in M. C. Kegalla Case 27824	—
Mr. S. ILAYATHAMBY	.. Additional Magistrate etc., Jaffna, at Mallakam	From 9th July, 1960 ..	Until resumption of duties by Mr. W. D. THAMOTHEERAM
Mr. C. A. L. COREA	.. Additional Magistrate etc., Chilaw & Puttalam	From 12th July and 13th July, 1960	During absence of Mr. B. E. DE SILVA
Mr. H. A. BASTIAENSZ	.. Additional Magistrate etc., Matara	.. 26th July, 1960 ..	During absence of Mr. K. D. O. S. M. SENEVI-RATNE
Mr. K. S. RAJENDRAM	.. Additional District Judge etc., Point Pedro	22nd and 23rd July, 1960	During absence of Mr. N. SIVAGNASUNDERAM
Mr. J. J. DAVID	.. Additional Magistrate etc., Batticaloa	From 23rd July, 1960, to hear till completion M. C. Batticaloa Case 6122	—
Mr. B. R. G. WIJEYEKOON	.. Additional District Judge, Kandy at Matale	From 30th August, 1960, to hear till completion M. C. Matale Case 5189	—
Mr. M. ESURUPADRAM	.. Additional Magistrate etc., Point Pedro	From 1st August, 1960	Until resumption of duties by Mr. S. N. PAJADURAI
Mr. J. N. C. TIRUCHELVAM	.. Additional Magistrate etc., Colombo	From 12th July, 1960, till sentence is passed in M. C. Colombo Case 29566/A	—
Mr. H. B. PERERA	.. Additional District Judge etc., Kurunegala	28th July, 1960 ..	During absence of Mr. P. A. DE S. SENARATNE
Mr. S. NATARAJA	.. Additional District Judge etc., Anuradhapura	31st July to 8th August, 1960	During absence of Mr. S. V. UDALAGAMA
Mr. J. H. FERNANDO	.. Additional Magistrate etc., Kegalla	From 13th July, 1960, till sentence is passed in M. C. Kegalla Case 24918	—
Mr. G. R. DE VAZ	.. Acting President, Rural Court, Alutkuru Korale etc.	11th July, 1960 ..	During absence of Mr. C. L. PERERA
Mr. L. SENANAYAKE	.. Acting Additional President, Rural Court, Dewamedi Hatpattu etc., at Nikaweratiya	11th and 12th July, 1960	During absence of Mr. M. M. PERERA

Office of the Judicial Service Commission,
P. O. Box 573,
Colombo, 14th July, 1960.

S. R. WIJAYATILAKE,
Secretary,
Judicial Service Commission.

Other Appointments, &c.

No. 304 of 1960

APPOINTMENTS BY THE HONOURABLE MINISTER OF JUSTICE

Justices of the Peace

- (1) Mudaliyar A. A. ARUNACHALAM to be a Justice of the Peace for the judicial district of Jaffna.
- (2) Mr. M. WIJEYAKULASURIYA to be a Justice of the Peace for the judicial district of Colombo.
- (3) Mr. J. W. MAHAKUMARAGE to be a Justice of the Peace for the judicial district of Colombo.

Inquirers under Section 120 of the Criminal Procedure Code (Cap. 16)

- (1) Mr. N. SIVAGNASUNDARAM to be an Inquirer for Karavahu and Nintavur Pattus, Batticaloa District, with effect from the 1st June, 1960, while holding the post of Divisional Revenue Officer of Karavahu and Nintavur Pattus, with authority under section 365 (1) of the Criminal Procedure Code to order post-mortem examination when necessary.
- (2) Mr. T. M. WIJERATNE BANDA to be an Inquirer for Yatikinda Division, Badulla District, with effect from the 6th July, 1960, while holding the office of Divisional Revenue Officer, Yatikinda.
- (3) Mr. K. B. ERANAYAKE to be an Inquirer for Bintenna Division, Badulla District, with effect from the 6th July, 1960, while holding the office of Divisional Revenue Officer, Bintenna.

Appointments, &c., of Registrars

No. 305 of 1960

THE following appointments had been ordered by the Registrar-General and are hereby notified for general information :—

1. Mr. J. D. D. PIYADASA .. Registrar, Grade I of the Registrars' Service, to be Registrar of Lands for Colombo District from April 1, 1959 (with retrospective effect) holding office at Colombo.
2. Mr. S. SAMARASINGHE .. Registrar, Grade II of the Registrars' Service, to be Registrar of Lands and Additional District Registrar for Kurunegala District from March 1, 1958 (with retrospective effect) holding office at Kurunegala.
3. Mr. S. SAMARASINGHE .. Registrar, Grade I of the Registrars' Service, to be Registrar of Lands and Additional District Registrar for Kurunegala District from April 15, 1958 (with retrospective effect), holding office at Kurunegala.
4. Mr. P. A. O. P. WIJESINGHE .. Registrar, Grade I of the Registrars' Service, to be Registrar of Lands and Additional District Registrar for Kandy District from September 30, 1959 (with retrospective effect), holding office at Kandy.

Registrar-General's Office,
Colombo 1, July 14, 1960.

A. M. S. PERERA,
Registrar-General.

No. 306 of 1960

THE following appointments had been ordered by the Registrar-General and are hereby notified for general information :—

1. Mr. E. P. KUMARAGE .. Registrar, Grade II of the Registrars' Service, to be Registrar of Lands and Additional District Registrar for Kalutara District from May 3, 1958 (with retrospective effect), holding office at Kalutara.
2. Mr. M. S. RAJASINGHAM .. Registrar, Grade II of the Registrars' Service, to be Registrar of Lands and Additional District Registrar for Jaffna District from December 1, 1958 (with retrospective effect), holding office at Jaffna.
3. Mr. N. A. N. K. WIJEWARDENA .. Registrar, Grade II of the Registrars' Service, to be Additional District Registrar for Colombo District from January 2, 1960 (with retrospective effect), holding office at Colombo.
4. Mr. S. L. H. PERERA .. Registrar, Grade II of the Registrars' Service, to be Registrar of Lands and Additional District Registrar for Galle District from March 1, 1958 (with retrospective effect), holding office at Galle.
5. Mr. T. M. T. I. TENNEKOON .. Registrar, Grade II of the Registrars' Service, to be Registrar of Lands and Additional District Registrar for Kegalle District from April 3, 1959 (with retrospective effect), holding office at Kegalle.
6. Mr. E. N. C. SENANAYAKE .. Registrar, Grade II of the Registrars' Service to be Registrar of Lands and Additional District Registrar for Matara District from April 1, 1959 (with retrospective effect), holding office at Matara.

Registrar-General's Office,
Colombo 1, July 14, 1960.

A. M. S. PERERA,
Registrar-General.

Government Notifications

G. G. O.—No. O. 330/49.

HIS Excellency the Governor-General has been pleased to accept, on behalf of Her Majesty the Queen, the Letter of Credence of His Excellency Dato Samuel Chelvasingam MacIntyre, following on the accession of His Majesty the new Yuang di Pertuan Agong of the Federation of Malaya, accrediting him as High Commissioner for the Federation of Malaya to Ceylon.

By His Excellency's command,

N. W. ATUKORALA,
Secretary to the Governor-General.

Governor-General's Office,
Colombo, 18th July, 1960.

L. D.—B. 89/48.

THE POST AND TELEGRAPH BENEFIT ASSOCIATION (INCORPORATION) ORDINANCE, No. 14 OF 1947

RULE made by the Post and Telegraph Benefit Association under section 11 of the Post and Telegraph Benefit Association (Incorporation) Ordinance, No. 14 of 1947, and confirmed by the Minister of Finance by virtue of the powers vested in him by that section, as modified by the Proclamation published in *Gazette Extraordinary* No. 9,773 of September 24, 1947.

S. F. AMERASINGHE,
Permanent Secretary,
Ministry of Finance.

Colombo, 8.7.1960.

Rule

The Post and Telegraph Benefit Association Rules published in *Gazette* No. 9,936 of January 7, 1949, as amended by rule published in *Gazette* No. 11,960 of November 27, 1959, are hereby amended as follows:—

(1) by the substitution, for rule 2, of the following new rule:—

" 2. The Committee shall consist of the President of the Corporation (hereinafter referred to as the " President ") and fourteen other members ";

(2) in rule 3—

(a) by the substitution, in paragraph (1) thereof, for the words " an ex-officio " of the word " President ";

(b) by the substitution, for paragraph (3) thereof, of the following new paragraph:—

" (3) The President shall cause the nominations received, together with the names of the proposers and seconders, to be announced by means of notices posted, at least seven days before the annual general meeting, at the registered office of the Corporation, the Posts and Telecommunication Library and the principal Headquarters Offices of the Department in Colombo. ";

No. 4/1/9/GC.

APPOINTMENTS TO THE BOARD OF REVIEW—INLAND REVENUE

THE Hon. Minister of Finance has been pleased to re-appoint Mr. S. N. B. Wijeyekoon, under section 70 (1) of the Income Tax Ordinance (Chapter 188), to be a member of the Board of Review for a further period of three years from August 2, 1960.

The Hon. Minister of Finance has also been pleased to re-appoint the following under section 70 (1) of the Income Tax Ordinance (Chapter 188), to be members of the Board of Review for a further period of three years from August 5, 1960:—

1. Mr. H. Wijenathan
2. Mr. T. W. Roberts

R. COOMARASWAMY,
for Permanent Secretary to the Ministry of Finance.

Ministry of Finance,
Colombo, July 11, 1960.

(c) by the insertion, immediately after paragraph (3), of the following new paragraphs:—

“ Joint Secretary and Treasurer.

(4) The Committee of Management shall, with the approval of the Secretary to the Treasury, select an officer of the Post and Telecommunication Service, such selection being made with the consent of the officer, to function as Joint Secretary and Treasurer. The officer so selected shall furnish security in such form and in such manner as the Committee may direct for the due performance of his duties.

(5) The Joint Secretary and Treasurer shall receive and keep account of all moneys belonging to the Corporation, and shall pay all claims, loans, advances and expenses authorised by the Committee. He shall also prepare before the end of every month and submit to the Committee an account of the transactions of the Corporation during the previous month. He shall generally act under the direction of the President.”;

(3) in rules 17 (1) and 18 (1), by the substitution, for all the words from “any two” to “President” in each such rule, of the words “the President or, in his absence, for such member of the Committee as may be authorised in that behalf by the Committee.”;

(4) in rule 22, by the substitution, for all the words from “ex-officio members” to “President”, of the words “President or, in his absence, to such member of the Committee as may be authorised in that behalf by the Committee, it shall be lawful for the President or such member.”;

(5) by the substitution, for rule 23, of the following new rule:—

23. All cheques and other orders against the funds of the Corporation shall be signed by the President and Joint Secretary and Treasurer. In the absence of either of them, such member of the Committee as may be authorised in that behalf by the Committee shall have the power to sign such cheques and other orders.”;

(6) by the substitution, for rule 24, of the following new rule:—

24. Where the President has intimated to the Committee in writing that he cannot function in the office of President for a period of over one week by reason of illness or absence from Colombo, such member of the Committee as may be duly appointed by the Committee for the purpose shall act for the President. All documents including counterfoils of cheques issued during the absence of the President shall be made available to the President for his information on his return.”; and

(7) by the substitution, for the expression “Secretary” and the expression “Treasurer”, wherever each such expression occurs in any of the rules, of the expression “Joint Secretary and Treasurer.”

“ Signature of cheques and orders.

“ Acting President.

L. D.—B. 14/35.

THE QUARANTINE AND PREVENTION OF DISEASES ORDINANCE

REGULATION made by the Minister of Health and Social Services under sections 2 and 3 of the Quarantine and Prevention of Diseases Ordinance (Chapter 173), as modified by the Proclamation published in *Gazette Extraordinary* No. 9,773 of September 24, 1947.

M. V. P. PEIRIS,
Minister of Health and Social Services.

Colombo, 27th June, 1960.

Regulation

The Mosquito-borne Diseases Prevention Regulations, published in *Gazette* No. 9,570 of June 21, 1946, as last amended by regulation published in *Gazette* No. 10,713 of September 17, 1954, are hereby further amended as follows:—

(1) in regulation 5—

(a) in paragraphs (1) and (2) thereof, by the substitution, for the words “Medical Officer of Health”, wherever those words occur, of the words “Medical Officer of Health or the Officer-in-Charge of the Health Office, as the case may be,”; and

(b) in paragraph (4) thereof, by the substitution, for all the words from “to the owner or occupier” to the end of that paragraph, of the words “or an Officer-in-Charge of a Health Office to the owner or occupier of any place situated within the administrative limits of a Municipal Council, Urban Council or Town Council, except with the sanction of the Municipal Commissioner or the Chairman, as the case may be, of such Council.”; and

(2) in regulation 4A—

(a) by the substitution, for the word “harbour”, of the words “harbour malaria parasites in the blood or”; and

(b) by the substitution, for the words “freed of”, of the words “freed of such malaria parasites or”.

L. D.—B. 79/49.

THE FOOD AND DRUGS ACT, No. 25 OF 1949

Notification

IT is hereby notified under section 41 of the Food and Drugs Act, No. 25 of 1949, that the Minister of Health and Social Services, has under that section, approved Mr. W. R. Chamugam, D.I.C., F.R.I.C., of the Laboratory, 2, Bagatelle Road, Colpetty, Colombo, as a public analyst for each of the administrative areas specified in the Schedule hereto, for the period commencing on June 1, 1960, and ending on December 31, 1960.

W. J. A. VAN LANGENBERG,
Permanent Secretary,
Ministry of Health and Social Services.

Colombo, 14th July, 1960.

SCHEDULE

The administrative area of the Municipal Council, Colombo.
The administrative area of the Municipal Council, Kandy.

VIDYODAYA UNIVERSITY AND VIDYALANKARA UNIVERSITY ACT, No. 45 OF 1958

Notice Under Section 4

IN pursuance of the provisions of section 4 of the Vidyodaya University and Vidyalankara University Act, No. 45 of 1958, I, Bernard Herbert Aluwihare, Minister of Education and Cultural Affairs, do hereby notify that the land described in the Schedule hereunder, is required for the Vidyodaya University of Ceylon.

SCHEDULE

The land called Karapunchigaha Kurunduwatta, in extent 6 acres 1 rood 20 perches, situated in the Village of Gangodawila in Colombo D. R. O's Division, Colombo District.

B. H. ALUWIHARE,
Minister of Education and Cultural Affairs.
Reference No. K/C. 14,
Colombo 2, July 13, 1960.

No. C/I. 12.

THE INDUSTRIAL DISPUTES ACT, No. 43 OF 1950

THE Award transmitted to the Commissioner of Labour by the Arbitrator to whom the industrial dispute which had arisen between the United Engineering Workers' Union, 123, Union Place, Colombo 2, and Messrs. Brown and Company, Limited, 481, Darley Road, Colombo 10, was referred under section 3 (1) (d) of the Industrial Disputes Act, No. 43 of 1950, as amended by the Industrial Disputes (Amendment) Acts, No. 25 of 1956, No. 14 of 1957 and No. 62 of 1957, for settlement by arbitration, is hereby published in terms of section 18 (1) of the said Act.

Department of Labour,
Colombo, July 14, 1960.

N. L. ABEYWIRA,
Deputy Commissioner of Labour.

In the matter of an Industrial Dispute

between

The United Engineering Workers' Union,
129, Union Place, Colombo 2

and

Messrs. Brown and Company Ltd., Colombo.

THE AWARD

This award is made in terms of section 17 of the Industrial Disputes Act, No. 43 of 1950, as amended by the Industrial Disputes (Amendment) Acts, Nos. 25 of 1956, 14 and 62 of 1957. It relates to an industrial dispute between The United Engineering Workers' Union and Messrs. Brown and Company Ltd., Colombo (referred to hereinafter as the "Union" and the "Company" respectively).

10. Mr. S. Kadirgamar was called by the Company to testify in the manner in which he conducted the inquiry. In the presence of P. R. Perera all questions in English were interpreted to him in Sinhalese. He was given the chance to cross-examine all witnesses, which in fact he did exhaustively. He was allowed to call his own witnesses which also he did. The presiding officer himself questioned the witnesses to clear doubtful points and Perera was asked if he wished to give evidence himself. Perera, however, was content to submit a written statement. At the end of the inquiry Perera was asked "are you satisfied that a full inquiry had been conducted? Do you consider it a fair inquiry?" and Perera answered "yes" to both questions. In his evidence before me he stated that he inquired from Mr. Kadirgamar whether the inquiry was fair and the finding was going to be fair. This is a very childish effort to give the impression that he did not at that time fully appreciate the force of these two questions. He well understood what he was being asked when he admitted that the inquiry was fair. Apart from his own admission, I am in my own mind completely satisfied that there had been a very impartial inquiry indeed that left no room for improvement.

2. By virtue of the powers vested in the Deputy Commissioner of Labour under section 3 (1) (d) of the said Act he has referred the above-mentioned dispute to me for settlement by arbitration, which reference is dated 12.2.60.

3. The matter in dispute is whether the non-employment of P. R. Perera is justified and to what relief he is entitled.

4. Statements have been furnished as required by Regulation 20 on 29.2.60, 2.4.60 and 8.4.60 by the parties to this dispute, and the comprehensiveness thereof has helped to narrow down the issues considerably.

5. Mr. Advocate Stanley Tillekeratne instructed by Mr. Dharmalingam appeared for the Union, and Mr. Lyn Wirasekera of The Ceylon Employers' Federation for the Company. The hearing took place on June 16th and 17th, 1960, and counsel addressed me on their respective cases on June 24th.

6. Mr. P. R. Perera was employed by the Company in 1950 as a mechanic apprentice at Lanka Garage. Having been fully trained in 1954 he left of his own accord on 12.4.56 with a certificate marked P1 to the effect that he was a reliable mechanic "of good character and disposition". The Company alleges that on 29.10.59 at about 11.45 a.m. he threatened in a loud tone to kill the head of the Motor Department Mr. Cameron-Brown and Mr. S. N. Keast and thereby caused a disturbance in the General Repairs Section resulting in the workers stopping work for some time. A show cause notice, drafted by the Company's personnel manager, Mr. S. Kadirgamar, embodying these two charges was served on him that same day. To this he replied on the next day denying both allegations and setting out a different set of circumstances. His account is that on behalf of the Branch Union of which he was Secretary he discussed an important matter with Mr. Keast the result of which interview was disappointing. On his return to the General Repairs Section the engineer Mr. Lourensz asked him what happened at the discussion to which inquiry he replied that Mr. Keast thinks that they are babies in Union matters, whereas they knew more than Mr. Keast, and "if possible we will teach him that". The workers thereupon gathered round them to hear the news, but he asked them to get back to their business.

7. The Company, being unable to accept this explanation without further investigation, informed him so on 2.11.59 and invited him to choose a date suitable to him for an inquiry to be held and for a list of his witnesses. To this he replied on 7.11.59 that 10.11.59 would be a suitable date. He also mentioned therein the names of five witnesses, four of whom were mechanics who eventually testified on his behalf at the domestic inquiry, which was held by Mr. Kadirgamar on November 10th, 11th, 12th, December 21st, 1959, and January 20th, 1960. Messrs. Lourensz (an engineer), J. B. de Silva (foreman) and T. Clementi-Smith (Stores Manager) gave evidence for the Company on the first two dates of the inquiry, notes of which have been produced marked R. 6. P. R. Perera gave no evidence himself but produced a written statement marked "A" at the inquiry and re-marked R. 6A in the proceedings before me.

8. The findings of the inquiry, marked R7 dated 28.1.60, were against P. R. Perera on both charges. On 5.2.60 he was dismissed as from 5 p.m. on that date by letter R8 which was written after the Managing Director, Mr. Gray, to whom R7 was forwarded and agreed with the finding and the recommendation for dismissal.

9. Mr. Wirasekera submitted that once a domestic inquiry had been properly conducted it is not open to me to re-hear witnesses and substitute my own findings thereafter. There is a wealth of authority for the proposition that I cannot act as a court of appeal and can only interfere among other grounds (which are not relevant here and have not at any time been raised) when on the materials, the finding is completely baseless or perverse, or there is a basic error of facts (vide I. D. 28, I. D. 60, and I. D. 102 all of which followed the leading Indian case on the subject—Buckingham and Carnatic Mills case (1951) 2 L.L.J. page 314).

11. Mr. Tillekeratne attacks the finding on two grounds, viz., that there is a basic error of facts and that it is baseless, therefore perverse. The first ground is clearly without substance because a basic error of facts occurs only in an adjudicator holds on any matter which at no time had been put forward by either party, e.g., if the question to be decided is whether or not A assaulted B at Kandy on a certain date, to hold that he did so in Jaffna on that date when the evidence is that the assault took place in Kandy would be a basic error of fact. There is no such thing in R7. The second ground that the finding is baseless is also unsound. A baseless finding is where a judge holds one way or the other when there is no evidence at all to support it. At this inquiry there was the evidence of Mr. Lourensz and Mr. Clementi-Smith on the first charge which had been accepted. The testimony of Karunaratne and Newton Perera had been rejected. Despite some contradictions in the evidence of the former two witnesses, the inquiring officer who saw them and heard them decided to believe them and it is not for me to say that he was wrong. He arrived at a decision on some evidence which he accepted; in other words there was a basis on which his determination was founded. The same applies to the second charge. In the light of the authorities mentioned earlier, I have no other alternative but to adopt this finding as correct. The points raised before me in these proceedings that Mr. Lourensz is the cause of all this trouble and the episode about the apprentices find no place.

12. I have given anxious consideration to the question whether or not dismissal is an unconscionable penalty. P. R. Perera had been warned by R9 dated 28.10.59 for interfering with apprentices and intimidating Messrs. Chelvarajah and Perera with bodily harm on 19.10.59. In 1957 he had made an inflammatory speech during a strike with which he was in no way concerned. I am not taking into account, however, the evidence led in regard to an attempted assault on Mr. Lourensz after 5 p.m. on 5.2.60, an event that took place the very evening he was discontinued. All things considered I hold that his dismissal is justified and award accordingly.

13. In the light of my finding it would be incongruous to order reinstatement. I would, however, in view of the fact that he had been a good workman for nine years and had not been in subordinate earlier, recommend to the Company to make to P. R. Perera an ex-gratia payment of a sum of Rs. 250, which is roughly what he might have earned for a month. This in no way should detract from the gravity of the first charge proved against him. It is left to the discretion of the Company to accept or reject my recommendation. All I can say is, if I had been in their place, I would certainly do so.

S. C. S. DE SILVA,
Arbitrator.

Colombo, 1st July, 1960.

No. T. 7/569.

THE INDUSTRIAL DISPUTES ACT, No. 43 OF 1950

THE Award transmitted to the Commissioner of Labour by the President of the Industrial Court constituted for the purpose of settling the industrial dispute between the Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya, 129, Kumaran Ratnam Road, Colombo 2, and Messrs. M. R. Fernando and Company, Limited, Hatton, which was referred by Order dated April 14, 1959, made under section 4 (2) of the Industrial Disputes Act, No. 43 of 1950 and published in *Ceylon Government Gazette* No. 11,729 dated April 24, 1959, for settlement by an Industrial Court, is hereby published in terms of section 25 (1) of the said Act.

N. L. ABEYWIPE,
Deputy Commissioner of Labour.

Department of Labour,
Colombo, July 14, 1960.

Industrial Court at Colombo

No. I. D. 171 of 1959

In the matter of an industrial dispute
between

The Nidahas Karmika Saha Velanda Sevaka Vurthiya
Samithiya,

129, Kumaran Ratnam Road, Colombo 2

and

Messrs. M. R. Fernando and Company (Ltd.), Hatton.

THE AWARD

This is an award made under Section 24 (1) of the Industrial Disputes Act, No. 43 of 1950, as amended by Industrial Disputes (Amendment) Acts, Nos. 25 of 1956, 14 of 1957 and 62 of 1957, which is referred to hereinafter as "the Act".

2. It is in connection with an industrial dispute between The Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya, 129, Kumaran Ratnam Road, Colombo 2, and Messrs. M. R. Fernando and Company (Ltd.), Hatton (referred to hereinafter as the "Union" and the "Company" respectively.)

3. The matters in dispute between the Union and the Company have been specified in the statement of the Acting Deputy Commissioner of Labour dated 6.4.59, according to which the following are the demands made by the Union:—

- (i) Rs. 17/50 as special living allowance to those drawing a salary of Rs. 100 and less, and Rs. 25 as special living allowance to those drawing a salary of Rs. 100 and above, with retrospective effect from 1.1.58;
- (ii) one month's wages per each year of past service to be credited to the present Provident Fund;
- (iii) free meal or meal allowance, two cups of milk tea in the morning and evening with fifteen minutes interval;
- (iv) special clothing allowance in consideration to the climate or in the alternative uniforms to be provided.

4. The Honourable The Minister of Labour, Housing and Social Services by Order dated 14.4.59, made under Section 4 (2) of the Act has referred the afore-mentioned matters in dispute for settlement to the Industrial Court. In pursuance of the powers vested in him under Section 22 (3) of the Act he had selected on 16.4.59 from the Panel (appointed by His Excellency the Governor-General under Section 22 (1) of the Act) three persons to constitute the Court for the purpose of settlement. The statements of the parties to the dispute having been furnished to Court, inquiry was fixed for 6.8.59, but the actual hearing took place on 14.11.59.

5. At the hearing on 14.11.59, Mr. Lionel Fernando, Organising Secretary of the Union, appeared on its behalf, and the Company was represented by Messrs. Advocates N. D. M. Samarakoon and B. J. Fernando, instructed by Mr. Felix Perera. Mr. Lionel Fernando produced P1—"Supplement to the scheme of war allowances paid to Government officers"—and P2—A. C. L's letter dated 15.12.58 forwarding a copy of the incremental salary scale operating at the Company. Mr. Samarakoon produced R1—a statement of the salaries and allowances paid to the Company's employees. It appears on record that on this date "in view of various industrial court decisions in regard to lump sum payments into the provident fund, free meals or a meal allowance, etc., and special clothing allowance, Mr. Fernando withdrew demands (ii), (iii) and (iv) above." Arguments were adduced in regard to (i) alone, and at the end of this day's proceedings the following minute was made in the record:—"Inquiry in this case will be confined to whether the Rs. 17/50 should be paid from 1st January, 1958, and whether the allowance payable to the other employees should be the same as government employees receive. Further inquiry at 9.15 a.m. on 12th January, 1960."

6. On 12.1.60, the next date fixed for the hearing, the Court did not assemble. Its nominated President and one of its appointed members were absent as in the meantime they had resigned from the Panel. Thereafter the Honourable The Minister, acting under Section 31 (2) of the Act, on 3.3.60 reconstituted the Court, selecting two other persons from the Panel to take the place of those two persons who were unable to function. The present inquiry was therefore continued in terms of Section 31 (4) of the Act "from the stage, at which it was" when the vacancies were filled.

7. Evidence was led before us on three consecutive dates commencing on 26.5.60 by Mr. R. A. Saranapala who appeared for the Union assisted by Mr. Premawardena. On 22.6.60, Mr. Pujitha Gunawardena addressed us on behalf of the Union. On all these dates the same counsel who appeared on 14.11.59 represented the Company. On 26.5.60, the wording of demand (i) was of consent altered so as to read thus:—"Rs. 17/50 as special living allowance to those drawing a salary of less than Rs. 100". Mr. Saranapala withdrew the second part of this demand, namely, "Rs. 25 as special living allowance to those drawing a salary of Rs. 100 and above." In the result the only question for determination is whether or not Rs. 17/50 special living allowance should be paid as from 1.1.58.

8. In I. D. 45 and 61, where the parties to the dispute were the Union and Messrs. Brown and Co. (Ltd.) one of the demands was "special additional allowance of Rs. 17/50 recommended by

Government to be paid". In paragraph 9 of that award dated 21.5.58 the Court granted this demand with effect from 1.1.58. It should be observed that the reference in that case by The Honourable The Minister of Labour was made on 29.1.56. The dispute itself would therefore have arisen at an earlier date, and apparently was the reason for granting the demand as from 1.1.58. In I. D. 89 the Union being one party to the dispute and the other The Lanka Power Lines Limited, the demand was for "payment of special living allowance of Rs. 17/50". That award of 3.10.58 in paragraph 7 thereof granted the demand with retrospective effect from 1.1.58 following I. D. 45 and 61. This particular company had entered into a contract with the Government Electrical Department of Ceylon for the extension of electrical lines throughout the Island. For this reason the matter was referred to the Ministry of Transport, which authorized the Chief Engineer and General Manager of the Government Electrical Department to sanction payment as from 1.1.58 if he considered that the employees were entitled to it. Besides, some employees had been granted the special living allowance as from 1.1.58. These two factors would have influenced the court in arriving at 1.1.58 as the date from which the Rs. 17/50 special living allowance should be paid. These considerations have no direct bearing on the dispute before us. In both the above cases the Court had good reasons for deciding as it did. The present dispute is on an entirely different footing and the same reasoning cannot apply.

9. In making our award we are governed by Section 25 (2) of the Act. It reads thus:—"Every award of an Industrial Court shall come into force on the date of the award or on such date, if any, as may be specified therein, not being earlier than the date on which the industrial dispute to which the award relates first arose." The dispute in this matter first arose on 10.12.58 when the Company at a conference repudiated the demand. In Bents Brewery Company Limited Vs. Hogan (1945) 2 A. E. R. page 570 it was held that the making of the demand is not the deciding factor but its repudiation. In I. D. 81 (the Union Vs. Ceylon Cold Stores Ltd.) this case was followed. In I. D. 90 (the Union vs. Colombo Club) the demand was "the special living allowance of Rs. 17/50 to be paid to all workers with retrospective effect from 1.1.58". This was not granted for different reasons which arose in that case.

10. The Union admits that 30 cents was paid by the Company to every worker as special living allowance in March 1958 and an additional 37 cents in September 1958 making a total of 67 cents, i.e., Rs. 17/50 a month. The claim of the Union is for arrears of this allowance from 1.1.58 to September 1958. We are unable to accede to this request as we are of opinion that no arrears are due as a matter of statutory obligation or as flowing from an agreement between the Union and the Company. Both parties led evidence on the question of the capacity of the Company to pay. If there was a statutory obligation an order would have had to be made irrespective of such capacity. In the light of the aforesaid, considerations relating to this aspect are irrelevant. We reject the demand of the Union and make award accordingly.

S. C. S. DE SILVA,
President.

A. H. M. ISMAIL,
Member.

J. C. A. COREA,
Member.

Dated at Colombo this 8th day of July, 1960.

No. T. 7/594.

THE INDUSTRIAL DISPUTES ACT, No. 43 OF 1950

THE Award transmitted to the Commissioner of Labour by the President of the Industrial Court constituted for the purpose of settling the industrial dispute between the South Ceylon Democratic Workers' Union, 1/10, Dickson Road, Galle, and Galle Gymkhana Club, Galle, which was referred by Order dated June 18, 1959, made under section 4 (2) of the Industrial Disputes Act, No. 43 of 1950, and published in *Ceylon Government Gazette* No. 11,789 dated June 26, 1959, for settlement by an Industrial Court, is hereby published in terms of section 25 (1) of the said Act.

N. L. ABEYWIIRA,
Deputy Commissioner of Labour.

Department of Labour,
Colombo, 14th July, 1960.

Industrial Court of Colombo

No. I. D. 190

In the matter of an industrial dispute

between

the South Ceylon Democratic Workers' Union, 1/10,
Dickson Road, Galle,

and

Galle Gymkhana Club, Galle.

THE AWARD

This is an award under section 24 of the Industrial Disputes Act, No. 43 of 1950 (as amended by Acts Nos. 25 of 1956, 14 of 1957 and 62 of 1957). It relates to a dispute between the South

Ceylon Democratic Workers' Union (hereinafter referred to as the "Union") and the Galle Gymkhana Club, Galle (hereinafter referred to as the "Club").

2. The Hon. the Minister of Labour by his Order dated 18th June, 1959, made under section 4 (2) of the Industrial Disputes Act, referred the above dispute to this Court for settlement. The Acting Deputy Commissioner of Labour has, by his statement of the 9th June, 1959, set out the matters in dispute between the parties as follows:—

- (1) Payment of wages according to Wages Boards Rates;
- (2) Grant of Rs. 17.50 as Special Living Allowance;
- (3) Grant of pensions on termination of employment;
- (4) Grant of seven days sick leave and all Public Holidays;
- (5) Supply of a head-covering to those who work in the sun;
- (6) Supply of a mid-day meal and two teas; and
- (7) Payment of annual bonus.

3. On the first day of hearing Mr. E. W. J. Serasinghe, Organising Secretary of the Union, appeared for the Union, and Mr. W. Chandrasena, Secretary of the Club, represented the Club. Thereafter the appearances were Mr. W. T. Wijekulasuriya for the Union and Mr. Advocate R. A. Kannangara with Mr. Advocate Desmond Fernando instructed by Mr. C. L. M. Wickremasinghe for the Club.

4. Demand No. 1—*Payment of wages according to Wages Boards Rates.*—This demand and the other demand mentioned below, it was agreed, should be in respect of the following 16 workers:—

P. H. Upasaka.
Madampege Robis.
S. H. Liyanage.
W. G. Sarnelis.
Merenna Piyadasa.
Rattambige Jamis.
Madampege Martin Appu.
Kumarawadu Sarishamy.
Pettahandi Robosingho.
Kumarawadu Caroappu.
A. G. Mendis.
Muta Merenna Nonahamy.
Wellage Janenona.
Weeraddana Carolis.
Murukkuwadura Emy Silva.
Minigala Edinsingho.

On behalf of the Union, Mr. W. T. Wijekulasuriya stated that workers were paid a fixed sum without any increments. He wished to clarify what the Union had in mind when they claimed payment according to the Wages Boards rates. What the Union demanded was that the Club should adopt the scale of wages applicable to similar employees of the Ceylon Turf Club, and in fact in the statement submitted by the Club this modification was made. In his argument Mr. Wijekulasuriya went on to say that the work done by these employees at Boosa was on a par with the work done by the employees of the Ceylon Turf Club in Colombo in all respects. The employees worked the whole year through and the type of work could not be compared to that of agricultural workers because racing in the Club involved the use of an electric totalizer and motorized machinery. The rates of pay instituted for workers of the Ceylon Turf Club are as follows:—A labourer is paid a daily basic wage of Rs. 1.44 per day with annual increments of 12 cents per day per annum with a maximum basic wage of Rs. 2.64 per day. If such a worker works on a Sunday he is paid Rs. 2 extra. The workers are also entitled to dearness allowance on the basic applicable to workers in the engineering trade and to a special living allowance. At the Ceylon Turf Club men and women receive equivalent basic wages. In the course of evidence it appeared that the Club was a private club which maintained a race course and also ran a sweep. Earlier, races used to be held on six or seven days, but now due to various factors races were run only on three days since December, 1958. As against this, the Ceylon Turf Club held races on as many as 30 days in the year. In addition the Ceylon Turf Club was compelled to keep the track in good condition because the majority of horses was in Colombo and they were given trial runs on the course. In the case of the Boosa course, conditions were different because there were no horses permanently at Boosa. All horses were taken to Galle for the races and brought down to Colombo after the races, so that there was intensive work for only about three months of the year at Boosa from October to December, while the workers did only maintenance work during the rest of the year. The work at Boosa has also been reduced on account of two factors, namely the removal of the golf course and the neglect of the cinder track. The Union did not produce convincing evidence to show that the machinery and equipment used at Boosa was of the same quality and quantity as that used at the Ceylon Turf Club. Although both clubs engage in racing it is clear from the amount of work done and the type of work that there is no comparison between

the two clubs. In our opinion, therefore, a case to place the workers at Boosa on a par with the workers of the Ceylon Turf Club fails.

In discussing the general problem of the improvement of wages for these workers it was suggested by the Club that any improvement in their wages should not exceed the rates now prescribed by the Wages Board for workers in the Coconut Growing Trade. The average wages in the Club at present are Rs. 2.60 per day for men and Rs. 1.70 per day for women. The wages payable for the Coconut Growing Trade at the time of this inquiry are as follows:—

Men	...	Re. 1 plus an allowance of Rs. 1.18, making a total of Rs. 2.18.
Women	...	85 cents plus an allowance of 88 cents, making a total of Rs. 1.73.

In actual fact, the two rates of payment, that paid in the Coconut Growing Trade and the Club, are on parallel lines. In a letter written to the Union by the Deputy Commissioner of Labour on 14th August, 1959 (P. 2), he suggests that if Wages Boards rates are to be adopted by the Club the proper rates to be adopted might be those scheduled for the Tea or Rubber Growing Trades. He is arguing from the point of view that the Galle District is an agricultural region whereas Colombo might more truly be regarded as being an industrial centre where engineering trades are centred. In the Rubber Growing Trade the rates of pay according to the current decision of the Wages Board are a total of Rs. 2.58 for men and Rs. 2.18 for women. There is, of course, no valid reason for adopting the suggestion of the Deputy Commissioner of Labour. In the Engineering Trade unskilled labour is paid at the rate of Rs. 3.49 for men. There is no comparable rate for women. After due consideration, we are of opinion that the workers at Boosa should not be classed either with agricultural workers or workers in the engineering trade. For one thing agricultural workers, we know, have certain advantages not open to workers in other occupations and can therefore supplement their income by other means. The wages assigned to the engineering trade, we regard, are too high. We therefore decide that the workers in the Club, who are applicants in the present dispute, should receive the following minimum total wages:—

Men	...	Rs. 3 per day.
Women	...	Rs. 2.50 per day.

In stepping up the wages for women we have considered that in the type of work involved at the Club there is not a great difference in the efficiency of women as compared with the efficiency of men, and in our opinion the gap between the wages of men and women should not be any more than 50 cents. Incidentally, we understand that in the Ceylon Turf Club the wages of men and women are on a par. In the course of our inquiry the Club agreed to step up the wages for women labourers and accepted our suggestion of paying them Rs. 2.15 a day as an interim measure. We have decided not to fix an incremental scale but merely set down a minimum wage, leaving it to the Club to make an improvement they may desire. The new scale of payment becomes operative from the 1st day of June, 1960.

5. Demand No. 2—*Grant of Rs. 17.50 as Special Living Allowance.*—The Union has failed to establish any basis for this claim and we know that this demand has been refused to workers in the Coconut Growing Trade and that such special living allowances are normally given to workers in the City of Colombo and elsewhere, where firms have agreed to pay this allowance. We accordingly reject this demand.

6. Demand No. 3—*Grant of pensions on termination of employment.*—We note that at present the Club has a scheme for the payment of gratuities to employees on termination of their employment by reason of disablement or age. All labourers who retire for the above reasons are paid under this scheme as follows: 1 month's salary x number of years of service. In calculating this gratuity the "blank years" when the military occupied the race course are treated as years of service. There is no reason to think that this scheme has not been operated properly, and the Union has not contested the fact that in the past the Club has acted quite reasonably in this matter. Mr. Wijekulasuriya on behalf of the Union states that he is satisfied with the scheme as such. All he asks is that there should be some rules and regulations so that the worker cannot be refused his gratuity at the end of his service. We are aware of the fact that the Employees' Provident Fund is spreading to institutions like the Galle Gymkhana Club and before long the Club will be compelled to make contributions to it. In the meantime we decide that the scheme so operated should continue as before, with the added proviso that a worker shall be entitled to his gratuity on termination of employment by reason of disablement, age or any other course. The gratuity should in all cases be paid in full, but deductions may be made for lawful debts including damage to property or machinery for which a worker may be responsible. Nobody should be refused payment, and in the event of death the legal heirs should be entitled to receive the gratuity which is due to the worker if it has not already been paid. In the event of the Club joining the Employees' Provident Fund the amount accumulated to the credit of a worker on account of gratuity up to that time shall be paid on termination of his employment, unless the two parties come to any other agreement.

7. *Demand No. 4—Grant of seven days sick leave and all Public Holidays.*—The Club stated that workers enjoy the following paid holidays:—

- (a) 14 days' medical leave.
- (b) Leave on full moon days.
- (c) 2 days' leave for the Sinhalese New Year.

The Union decided to withdraw this demand.

8. *Demand No. 5—Supply of a head-covering to those who work in the sun.*—In our opinion head-covering is part of personal apparel and this demand is rejected.

9. *Demand No. 6—Supply of a midday meal and two teas.*—Demands of this kind are made from time to time: these fringe benefits are a method of increasing the worker's pay. The matter of midday meal has been gone into on several occasions in this Court. The award in I. D. 48, 49 and 50 sets out the history of the free midday meal. It started during the war when the Commander-in-Chief at the time ordered a free midday meal to be given to workers in the engineering and rubber and tea trades to prevent dislocation of work. When the war ended employers continued the practice and the free midday meal became an implied term and condition of employment in those firms which gave these meals during war time. Except where any firm has of consent agreed to supply a free midday meal, this demand has been consistently rejected in industrial courts and there are new reasons why this meal should now be given to the workers of the Club. We, therefore, reject this demand.

10. *Demand No. 7—Payment of annual bonus.*—The position of the Club is that they have paid and will pay an annual bonus when they make profits. In good years they have paid a bonus amounting to 3 months' salary, but in years of loss, as in the recent past, the Club is unable to pay a bonus. Mr. Wijekulasuriya states that the Union does not ask for a bonus when the Club does not make profits, but he would only ask that there be no discrimination in the payment of such bonuses. After some discussion the Union decided to withdraw this demand.

We make our award accordingly.

J. C. A. COREA,
President.

C. E. SIMITHRAARATCHCHY,
Member.

T. DEVARAJAN,
Member.

Colombo, 5th July, 1960.

THE INDUSTRIAL DISPUTES ACT, No. 43 OF 1950

THE Award transmitted to the Commissioner of Labour by the Industrial Court constituted for the purpose of settling the industrial dispute between the Lanka Estate Workers' Union and the Superintendent of Waduwawa Estate, Polgahawela, which was referred by Order dated October 15, 1959, made under section 4 (2) of the Industrial Disputes Act, No. 43 of 1950, and published in *Ceylon Government Gazette* No. 11,914 dated October 23, 1959, for settlement by an Industrial Court, is hereby published in terms of section 25 (1) of the said Act.

N. L. ABEYWIRA,
Deputy Commissioner of Labour.

Department of Labour,
Colombo, 14th July, 1960.

No. I. D. 243

Industrial Court at Colombo

In the matter of an industrial dispute
between

The Lanka Estate Workers' Union,
47, Driberg's Avenue, Colombo 10

and

The Superintendent, Waduwawa Estate, Polgahawela

THE AWARD

This is an award under section 24 of the Industrial Disputes Act, No. 43 of 1950. It relates to an industrial dispute between the Lanka Estate Workers' Union of 47, Driberg's Avenue, Colombo 10 (hereinafter referred to as "the Union") and the Superintendent of Waduwawa Estate of Polgahawela (hereinafter referred to as "the Superintendent").

2. By virtue of the powers vested in him by section 4 (2) of the said Act, the Honourable the Minister of Labour referred to me on October 15, 1959, an industrial dispute between the above-named parties for settlement. According to the statement

of the Deputy Commissioner of Labour, dated October 6, 1959, which accompanied the Minister's Order, the matters in dispute between the parties are—

- (1) Whether the non-employment of S. M. Mudiyanse, Tikiri Banda and M. P. Sirimala is justified and to what relief they are entitled; and
- (2) Whether the non-offer of tapping work to S. M. Kirimeneke is justified and to what relief she is entitled.

3. Mr. Advocate K. Shanmugalingam instructed by Mr. H. Kanagaratnam appeared for the Union, and Mr. Advocate Granville Perera instructed by Mr. L. A. Goonewardena appeared for the Superintendent.

4. Inquiry commenced on January 27, 1960, and continued thereafter on a number of days suitable to all parties, and finally concluded on June 21, 1960.

At the outset, counsel for the Superintendent raised the preliminary objection that this Court had no jurisdiction to entertain this dispute as the matters referred for settlement are individual cases which should be placed before the Labour Tribunal. Counsel for the Union, however, submitted that certain principles were involved, that the Union was interested in the dismissals of the workmen who are members of this union and that there was the allegation of victimization for trade union activities. I ruled that the matters referred to this Court for settlement were matters within the purview of this Court and proceeded to inquiry.

5. The case for the Union is that in August, 1956, certain representations were made by it to the Assistant Commissioner of Labour, Kurunegala, with regard to the non-payment of certain dues to the labourers. They produced marked "A.1" a copy of a letter dated August 7, 1956, addressed to the Assistant Commissioner of Labour, Kurunegala. The Assistant Commissioner of Labour, Kurunegala, called a conference of the parties on August 10, 1956—notes produced marked "A.2"—at which the estate had been represented by Mr. A. F. B. Gunawardana the proprietor and Mr. F. Forbes Fraser the Superintendent; the Union had been represented by Rev. H. Siddharatha Thero and Mr. R. Saravanabagavan. One of the many matters discussed at this conference was the question of annual holiday wages for the qualifying year ended 31.3.56, which wages the Superintendent had been ordered to pay.

The non-employment of S. M. Mudiyanse

6. In June, 1957, Mudiyanse who had been employed as a carter on the estate for 14 years, was given notice of discontinuance of his services to take effect from July 31, 1957, on the ground of retrenchment due to low rubber prices and as the services of a carter were no longer required.

Waduwawa Estate consists of 225 acres, of which 125 acres are in rubber, 75 acres in coconut, 3 acres in paddy and the rest in jungle.

At the inquiry it was stated on behalf of the Superintendent that Mudiyanse was offered *sillara* work, but this is denied by the Union. The letter of discontinuance (A.3) does not indicate that such an offer had been made by the Superintendent. It is submitted by the management that no carter is now employed on the estate as this post was found redundant.

7. If Mudiyanse is to be discontinued as a retrenchment measure I am of the opinion that he should be compensated. I, therefore, order the Superintendent to pay S. M. Mudiyanse compensation by way of unemployment relief at the rate of fifteen days' gross wages for each year of service, for a period of six years, the daily wage and allowances for the purpose of this calculation being the daily wage and allowances that were paid to him at the time of discontinuance of his services.

The non-employment of Tikiri Banda

8. Tikiri Banda had been engaged as a tapper from 1955 and discontinued on February 13, 1958, without any written notice. The position of the management is that Tikiri Banda was discontinued due to the closure of the slaughter tapping area and that all the tappers working in that area were discontinued. The management, however, admitted that some of those tappers who were thus discontinued were re-employed at a later date, and that tapping was continued in the budded section at the time Tikiri Banda was discontinued.

The Union contends that the principle "Last to come, first to go" has not been followed in this case and that a number of tappers who had joined the estate after Tikiri Banda have been retained in service (as, for example, in the budded section) while Tikiri Banda has been discontinued. The Union alleges that this was due to his trade union activities and, therefore, it was an act of victimization. In a report of the Assistant Commissioner of Labour, Kurunegala, it is stated that Tikiri Banda was found to be one of the best tappers. Asked how he came to make that report, Mr. V. Subramaniam, the Assistant Commissioner of Labour concerned, who gave evidence before me stated that he had to go through the check-roll for the purpose of calculating the annual holiday wages that were due to the labourers and that he had discovered that Tikiri Banda had brought in a good quantity of latex and that he had put in about 26 or 27 days' work a month.

9. I hold that Tikiri Banda has been unjustifiably discontinued and order that he should be re-instated in employment as a tapper on this estate. It follows from this that he

should be paid all wages that he would have earned during the period of non-employment and up to the date of re-employment. I order that he be paid accordingly.

The non-employment of M. P. Sirimala

10. Sirimala had been employed as a tapper on this estate for 14 years. He had been the Secretary of the branch union formed on this estate. He was discontinued on April 9, 1958, on the charge that he miscondacted himself with a woman tapper named Ukku Amma who was engaged on an adjoining block. In fact both Sirimala and Ukku Amma were discontinued at the same time, but Ukku Amma was re-employed a month later.

Sirimala is 44 years old, married and living with his wife and four children the eldest of whom is 18 years of age. Ukku Amma is herself a married woman with two children. No evidence was led to establish any misconduct with Ukku Amma on the part of Sirimala and I am satisfied that there has been no misconduct on his part. I, therefore, find that there is no just ground for the termination of his services. The fact that he was secretary of the branch union was, in my opinion, a factor that prejudiced his case. I, therefore, order his re-instatement in employment as a tapper and that he be paid all wages that he would have earned during the period of non-employment up to date of re-instatement.

The non-offer of tapping work to S. M. Kirimenike

11. Kirimenike had been a tapper on this estate for a period of 14 years and was discontinued from tapping on a charge of wounding the rubber trees. She has been offered *sillara* work which she refused to accept. The Union alleges that she was discontinued because she refused to accede to improper suggestions made to her by the then Superintendent of the estate.

Kirimenike is 45 years old and in my opinion unlikely to be the subject of the molestation alleged. No evidence in support of this allegation was led and I reject it. At the inquiry both the Superintendent and the kangany gave evidence in the course of which they said that they personally inspected her work and had repeatedly warned her against the wounding of trees. I accept this evidence and hold that the non-offer of tapping work to S. M. Kirimenike was justified. It follows, therefore, that she is entitled to no relief.

12. The amounts payable in terms of my award to Mudiyanse, Tikiri Banda and Sirimala should be deposited by the Superintendent of the estate with the Assistant Commissioner of Labour, Kurunegala, within two weeks of the publication of the award in the *Gazette*, along with a statement giving details of the computation of the amounts made by him in accordance with the books kept by the Superintendent.

The Assistant Commissioner of Labour, Kurunegala, will make payment of these amounts to these persons on their being identified, if necessary, by a representative of the Union.

Should any dispute arise with regard to the correctness of the amounts deposited, the Assistant Commissioner of Labour, Kurunegala, is authorised, after verification of the books, and, if necessary, hearing the parties, to make his decision with regard to the correctness of the amounts or otherwise. His decision on this matter should be final.

13. I make my award as set out above.

Dr. R. W. CROSSETTE THAMBIAH.

Dated at Colombo this fifth day of July, 1960.

No. W. 105/199.

THE INDUSTRIAL DISPUTES ACT, No. 43 OF 1950

THE Award transmitted to the Commissioner of Labour by the Arbitrator to whom the industrial dispute which had arisen between the Democratic Workers' Congress, 213/2, Main Street, Colombo 11, and the Superintendent of Hapugastenne Group, Ratnapura, was referred by order dated 6th October, 1959, made under section 4 (1) of the Industrial Disputes Act, No. 43 of 1950, as amended by the Industrial Disputes (Amendment) Acts, No. 25 of 1956, No. 14 of 1957 and No. 62 of 1957, and published in *Ceylon Government Gazette* No. 11,902 of October 16, 1959, for settlement by arbitration, is hereby published in terms of section 18 (1) of the said Act.

N. L. ABEYWIRA.

Deputy Commissioner of Labour.

Department of Labour,
Colombo, 14th July, 1960.

In the matter of an industrial dispute
between

The Democratic Workers' Congress,
213/2, Main Street, Colombo 11
and

The Superintendent of Hapugastenne Group, Ratnapura

THE AWARD

This is an award under section 17 of the Industrial Disputes Act, No. 43 of 1950 (as amended by Acts Nos. 25 of 1956, 14 and 62 of 1957). It relates to an industrial dispute between

the Democratic Workers' Congress, 213/2, Main Street, Colombo 11 (hereinafter referred to as the "Congress") and the Superintendent of Hapugastenne Group, Ratnapura (hereinafter referred to as the "Superintendent").

2. The Deputy Commissioner of Labour in his statement of 18.9.59 has set out the matter in dispute as follows:—whether the non-employment of the under-mentioned three employees is justified and to what relief each of them is entitled (1) Maradamuthu, (2) Angammah I, and (3) Angammah II.

3. The Honourable the Minister of Labour in the exercise of the powers vested in him under section 4 (1) of the aforementioned Act has referred the said dispute to me for settlement by Order dated 6.10.59.

4. Mr. Advocate S. P. Amerasingham instructed by Mr. T. Navaratnam appeared for the Congress and Mr. Advocate Aelian Kannangara instructed by Mr. Fred Wirasekera for the Superintendent.

5. Maradamuthu is alleged to have abused the K. P. in charge on 21.10.58. When required by the Superintendent, who had satisfied himself after due inquiry of his guilt, to sign a bond to be of good behaviour in future, as is the accepted practice adopted on this estate, he refused to do so. It was admitted that this was his first lapse during his long career of 19 years. In these proceedings on 2.4.60, he stated that he was prepared to sign the bond before me. Accordingly the bond was typed in triplicate, the terms thereof having been explained to him in Tamil. The fact that he understood the implications therein was entered of record. In open Court in my presence he affixed his signature to all three copies, one of which was retained by me and filed of record. I advised him to steer clear of trouble in the future and continue to live peacefully as he had done up to the date of the alleged abuse. The Superintendent, who was present in Court, undertook to re-employ him. In my opinion, this settlement is just and equitable and in the interests of both parties to this dispute. The inquiry thereafter proceeded as against the two women, Angammah I and Angammah II.

6. The two Angammahs, sisters-in-law, being registered workers, were given line-room accommodation. In May, 1957, they admittedly ran a boutique in this line room and on 13.6.57 entered into a written agreement to close down this business before 15.7.57 (marked "A" and filed with the statement of the Company). One of the witnesses to this was the Talaivar Selliah. By this they agreed, in the event of a breach, to leave the estate on a month's notice. But on 25th November, 1958, they were detected running the same business in contravention of the written undertaking. They were therefore dismissed after being served with a month's notice to quit.

7. On behalf of the Union, the two Angammahs, Ramasamy (husband of the elder Angammah) and K. Selliah (talaivar) gave evidence. The elder Angammah tried to establish that the boutique was being run by her husband, Ramasamy, who had worked on the estate ten years ago and was now a hawker of betel and tobacco. She stated that she had so informed Mr. Illangakoon, then Acting Superintendent in May, 1957. She admitted that in June, 1957, they were given another month's time to sell off the goods. Her evidence is that they managed to dispose of all the articles eventually, leaving only betel and arecanuts for hawking by Ramasamy. On 25.11.58 the Divisional Superintendent, Mr. Wickremaratne, inspected her line room at the time she and her sister were in the field. On her own admission there were found several cakes of soap, 200 ruskis, many loose shirt buttons, and 12 torch bulbs. I disbelieve her evidence that of these some articles were for use at home and others never meant for sale. Her sister fared very badly as a witness. She flatly denied that Mr. Wickremaratne came for inspection to her line room. Her evidence is "up to date I do not know that the Assistant Superintendent came to my line room". She corroborated the elder Angammah by testifying that after the signing of the bond no boutique was being run. These two witnesses were sent for by Mr. Wickremaratne and on the evening of 25.11.58 were told that they had violated the terms of the bond, whereupon according to Mr. Wickremaratne "they asked for forgiveness and said that they would not run it again". I accept this testimony as true. Ramasamy who was present at the inspection had to admit that there were rice, ink-pots, soap, buttons, biscuits and even a pair of weighing scales which he said was used for weighing vegetables. His evidence is that he hawked only betel and tobacco. So apparently vegetables were weighed, if at all, to verify the correct weight of those bought for home consumption. That kind of thing is not done in circles such as Ramasamy's and it was obviously being used in the course of their business of weighing flour, dhal, etc. The other witness Selliah stated that on 25.11.58 he was ill but followed the car in which Mr. Wickremaratne (whom he saluted), the watcher and the K. P. went for inspection. He did not enter the line room but saw the verandah from a short distance. His testimony is worthless. I believe Mr. Wickremaratne when he says that he did not see this witness at any time, either saluting him or standing near the lines, where there were only two or three people and no crowd at that time.

8. The Company led very cogent evidence by calling Mr. Marquis, the Superintendent, Mr. Wickremaratne the Divisional Superintendent, Peter, the watcher, and two customers S. Sinandy and Samel. Mr. Marquis stated that during his 32

years of service here no boutique had been allowed to be run in line rooms, and workers used to be earlier warned verbally for doing so. Subsequently the system of entering into bonds was introduced and a breach of such bonds, whatever the offence, was serious. According to him boutiques can be run on a monthly rental such as that of Patchay K. P. The violation of such a bond first came up on this occasion by the Angammahs. Sinandy impressed me as a truthful witness when he frankly said in evidence that "others might have bought" but was certain that he had bought from this boutique in November, 1958, rice, flour, coconut oil, kerosene oil, biscuits, etc. I believe his evidence that he still owes Rs. 28 on account of goods bought after the closure of the boutique. One Muthu Caruppan was also said to be a customer. Samel's evidence is also perfectly straightforward. Even on 24.11.58 he had bought coconuts from this boutique and earlier after the closure of the boutique he had bought curry stuffs and tobacco. I accept *in toto* Mr. Wickremaratne's evidence about the detection on 25.11.58, on which date he found arranged articles on shelves like in boutiques for sale. He found a gunny bag full of rice, dhal (a gunny bag almost full) and flour (also in a gunny bag) on the floor. On the shelves was betel in large quantities in the verandah; also 15 bundles of tobacco, 20 cakes of soap, 10 or 12 pots of ink, 25 or 30 torch bulbs, 3 tins of biscuits. Peter the watcher corroborated this evidence. He knew well that this was a boutique and gave this information to the last witness. He had been only two months on this estate and has no reason to give false evidence against the Angammahs. Even Mr. Wickremaratne had been only six months acting on this estate at the time of his inspection. It has been clearly established that rice, flour, dhal and oil had been sold and not hawked about after the bond had been signed.

9. I have no hesitation in holding on the evidence that the dismissal of the two Angammahs is justifiable and make award in accordance therewith. As regards Maradamuthu, the matter was settled (vide paragraph 5 above.).

S. C. S. DE SILVA,
 Arbitrator.

Dated this 8th day of July, 1960.

No. C/I. 36.

THE INDUSTRIAL DISPUTES ACT, No. 43 OF 1950

THE Award transmitted to the Commissioner of Labour by the Arbitrator to whom the industrial dispute which had arisen between the Tea, Rubber, Coconut and General Produce Workers' Union, No. 123, Union Place, Colombo 2, and Messrs. Carson Cumberbatch and Company, Limited, Colombo, was referred under section 3 (1) (d) of the Industrial Disputes Act, No. 43 of 1950, as amended by the Industrial Disputes (Amendment) Acts, No. 25 of 1956, No. 14 of 1957 and No. 62 of 1957, for settlement by arbitration, is hereby published in terms of section 18 (1) of the said Act.

N. L. ABEYWIJA,
 Deputy Commissioner of Labour.

Department of Labour,
 Colombo, 14th July, 1960.

Industrial Court at Colombo

No. C/I. 36

In the matter of an industrial dispute
 between

The Tea, Rubber, Coconut and General Produce Workers' Union
 And
 Messrs. Carson Cumberbatch and Company, Limited.

THE AWARD

This is an award under the Industrial Disputes Act, No. 43 of 1950 (as amended by Acts Nos. 25 of 1956, 14 of 1957 and 62 of 1957). It relates to an industrial dispute between the Tea, Rubber, Coconut and General Produce Workers' Union (hereinafter referred to as "the Union") and Messrs. Carson Cumberbatch and Company, Limited (hereinafter referred to as "the Company"). The Deputy Commissioner of Labour, by his order dated the 21st day of November, 1959, referred the aforesaid dispute to me for settlement by arbitration.

2. At the hearings, Mr. N. Sanmugathan, General Secretary of the Ceylon Trade Union Federation, with Mr. Kulavasingham, General Secretary of the Union, appeared for the Union. Mr. Lyn Wirasekera, Secretary, Industrial Relations, of the Employers' Federation of Ceylon, appeared for the Company.

3. On being informed at the first hearing that the dispute involved only 16 to 20 workers, of whom three were women, I enquired from the parties whether it was not possible to settle the matter without proceeding to inquiry. Mr. Wirasekera informed me that a principle was involved and that no settlement was possible. He asked that an award be made after inquiring into the matter.

4. In June, 1951, the Company apparently felt that there was justification for a slightly higher wage being paid to the labourers in the Chest Stores in view of the more strenuous work involved compared to labourers who came under the Wages Board for the Tea Growing and Manufacturing Trade (R.4). Production R.1 which gave expression to this feeling is, however, significant in that, instead of recognising the justification of an increased wage for the harder work involved, it laid down that the labourers will be able to qualify for an incentive bonus which will be paid at the rate of 20 cents per day. It added that that payment would be entirely at the discretion of the Directors and would be effected at the end of each month should the labourers' work have been up to the required standard. The directive addressed to the Storekeeper of the Chest Stores further required that special application must be made monthly before making payment. There was no evidence that this information filtered down to the labourers or that they were advised that this was an "incentive bonus". They naturally reckoned it an additional allowance for the specially arduous work they performed. They continued to draw this allowance until the end of May, 1959. The Company's position is that this payment should have been discontinued with effect from the 1st of May, 1959, when a collective wage agreement which introduced a revised wage became effective but that through an error the labourers concerned were paid the allowance in respect of May. The matter in dispute is whether those workers employed in the Chest Stores should receive this additional allowance of 20 cents per day.

5. The submission of the Union is that the collective agreement has no bearing whatsoever to justify the Company withdrawing this payment. The submission of the Company is that even prior to the signing of the collective agreement it had the right to withdraw this payment. The points to which I am called upon to apply my mind are consequently the following:—

- (i) What were the circumstances under which this extra 20 cents was paid to the labourers.
- (ii) Have those circumstances altered to such an extent that the Company is justified in withdrawing the extra payment of 20 cents per labourer per day.

6. Before evidence was led, I visited the Company's stores off Vauxhall Lane and watched a demonstration of stacking of both tea shooks and tea chests. These stores were established in 1954. A double-line gravity roller system had been established, but carrying or tipping had yet to be done. Figures given me showed that whereas the tea chests averaged 140 lbs. in weight with a maximum of 160 lbs., the shooks (also in bound packages) averaged 185 lbs. with a maximum of 195 lbs. The former was never stacked over five chests in height; the latter ran to an average of 10, with a maximum of 14 in exceptional circumstances. No additional allowance was ever paid for stacking tea chests.

I also visited the old stores in Vauxhall Street where the storage of shooks took place prior to 1954 and where the extra payment was initiated. This had only one gravity roller and it was evident that more carrying or tipping must have been then done. The distance between the rollers and the end of the room was about 15 yards whereas in the Lake View Stores visited earlier, the distance from roller to the extreme point of stacking was about 7 yards.

7. The evidence led at later sittings on the point whether the bound packages of shooks were carried from roller to stacking point or moved otherwise was conflicting. Witnesses called by the Company stated that the packages were carried from the roller on the labourer's back and stacked, and that the two gravity rollers established in 1954 at the Lake Side Stores eliminated the more strenuous work which justified the payment of 20 cents extra per day to the labourers in the Chest Stores. Those called by the Union stated that they were always tipped over from one point to the other and that conditions had changed little in 1954 except for a shortened distance.

8. Neither my inspection of the stacking in the stores, nor the evidence led on the point, convinced me that the mechanisation effected in 1954 made the strenuousness of the work involved in stacking tea-shooks comparable with that of stacking tea chests. It certainly accelerated the progress of the work involved, but it did not eliminate the intrinsic difficulties of the tasks. If at all, the allowance should have been withdrawn with the change from the Old Stores in Vauxhall Street to the new stores in Vauxhall Lane if it was considered that the reasons for which the Company originally decided to make these payments no longer obtained. That opportunity went by default. Mr. Nicols, a Director, the chief witness for the Company, when asked why in point of fact at that stage this payment was not withdrawn, replied: "It is one of those things that did not occur to us." Pressed to the point that it was a payment which had been regularly made at the discretion of the Directors, he replied: "I would say it was overlooked." There was a constant reminder as the Storekeeper had to make a special application monthly before making this payment, I am led to the conclusion that the obvious difference between the work involved in stacking the tea chests weighing on an average 140 lbs. to a height of 5 chests, and that of stacking tea shooks weighing on an average 185 lbs. to a height of 10 or sometimes even 14, prevailed and continued to be recognised, and that the question of stopping the special

allowance to the labourers in the Chest Stores came into focus only as an after-thought one month after Collective Agreement No. 1 of 1959 introduced a revised wage structure.

9. No mention is made of the labourers engaged in carrying and stacking the tea shocks in the Collective Agreement, and I hold that the 20 cents extra which these workers received from June 1951 to May 1959 does not fall into the category of extraneous payments which the Collective Agreement sought to cover. For nearly 8 years the labourers of the Chest Stores of the Company were by special monthly sanction accepted as being worth 20 cents per day more to the management than the labourers in the Tea Chest Department. There has been no radical change in the type of work they have respectively done during this period of time and will continue to do. In the circumstances, I hold that the withdrawal of the allowance of 20 cents per day which the labourers in the Chest Stores received is therefore morally wrong and gives occasion for a grievance which cannot but reflect adversely on good employer-employee relations. I therefore award that those employees in the Chest Stores of the Company should receive an additional allowance of 20 cents per day and that the payment be made retrospective from the first day of June, 1959, from which date payment of the allowance has been withheld.

R. L. BROHIER,
Arbitrator.

Colombo, 7th July, 1960.

No. T. 7/592.

THE INDUSTRIAL DISPUTES ACT, No. 42 OF 1950

THE Award transmitted to the Commissioner of Labour by the President of the Industrial Court constituted for the purpose of settling the industrial dispute between the Ceylon National Union of Workers, 94-1/6, York Buildings, Colombo 1, and the Ceylon Desiccated Coconut and Oil Company, Limited, P. O. Box 47, Colombo, which was referred by Order dated May 20, 1959, made under section 4 (2) of the Industrial Disputes Act, No. 43 of 1950 and published in *Ceylon Government Gazette* No. 11,763 dated June 5, 1959, for settlement by an Industrial Court, is hereby published in terms of section 25 (1) of the said Act.

N. L. ABEYWIRA,
Deputy Commissioner of Labour.

Department of Labour,
Colombo 3, July 14, 1960.

Industrial Court of Colombo

No. I. D. 187.

In the matter of an Industrial Dispute
between

The Ceylon National Union of Workers, 94-1/6,
York Buildings, Colombo 1.

and

The Ceylon Desiccated Coconut and Oil Company Ltd.,
P. O. Box 47, Colombo.

THE AWARD

This is an award under section 24 (1) of the Industrial Disputes Act, No. 43 of 1950, as amended by the Industrial Disputes (Amendment) Acts, Nos. 25 of 1956; 14 of 1957 and 62 of 1957. It relates to an industrial dispute between the Ceylon National Union of Workers, 94-1/6, York Buildings, Colombo 1 (hereinafter referred to as "the Union") and the Ceylon Desiccated Coconut and Oil Company Limited, P. O. Box 47, Colombo (hereinafter referred to as the "Company").

2. The Hon'ble the Minister of Labour, Housing and Social Services by his Order dated 20th May, 1959, made under section 4 (2) of the aforesaid Act referred the dispute between the above-named parties to this court for settlement.

According to the statement of the Acting Deputy Commissioner of Labour dated 15th May, 1959, which accompanied the Minister's order the matter in dispute between the Union and the Company is—

"Whether the termination of the services of the workmen at Hunupitiya Mills, Negombo, is justified and to what relief the workmen are entitled".

3. At the enquiry before us, Mr. W. K. Wijemanne, President of the Union, appeared for the Union on 22.8.59; 3.10.59 and 12.12.59, and Mr. Ziegelaar, Administrative Secretary of the Union, appeared for the Union on 18.11.59, 27.11.59 and 6.1.60. Mr. J. C. Byrnell of Messrs. Julius & Creasy appeared for the Company on 16.10.59 and on all the above dates except on 27.11.59 on which date Mr. H. A. Fernando, Proctor of Messrs. Julius & Creasy, appeared for the Company.

4. Along with the statement filed under regulation 20 (1) of the Industrial Disputes Regulation 1958, the Union filed a list giving the names and certain other details of employment of 77 workmen who have lost employment by the closure of the Mills and claimed one month's salary for each year of service as gratuity for them.

Their names appear in Schedule "A" hereto in the order given in the list. The numbers within brackets are the numbers given in R. 1A.

5. The company filed a statement to the effect that the Mills had to be permanently closed down as from 30th April, 1959, owing to losses sustained by the Company and the difficult conditions that prevailed in the desiccated coconut industry during the past four years. It further stated that it would make its submissions to court as to the quantum of relief, if any, to which the workmen were entitled after the balance sheets and the profit and loss accounts in respect of recent years had been examined by court.

6. When the matter came up for enquiry on 22nd August, 1959, the parties made an application for a postponement on the ground that there was a possibility of a settlement of the dispute and on 3rd October, 1959, we were informed that the Union and the Company had agreed to set apart Rs. 50,000 for payment of gratuity to "these persons who had lost their employment by virtue of the closure of the Mill" and that a joint statement would be filed in court showing how the money has been distributed.

7. On 18th November, 1959, Mr. Byrnell stated that the sum of Rs. 50,000 had been paid to Mr. W. K. Wijemanne on behalf of the Union for distribution "among the workers concerned" and produced receipt dated 6th November, 1959, (R. 2 also marked P. 3). He also submitted two joint statements (R. 1A and R. 1B) showing how the money had been distributed.

8. On a perusal of these statements it was found that this sum had been distributed among 105 workmen and not among the 77 employees mentioned in the list filed by the Union with its statement.

Mr. Byrnell explained that the Rs. 50,000 was intended to be paid to all the workmen who were in service at the date of the closure of the Mill and that all the workmen whose names appear in the statements R. 1A and R. 1B were employees of the Company at that date. Mr. Ziegelaar accepted this position.

Although reference had been made earlier in the course of these proceedings that this sum was intended for payment of gratuity to workmen who had lost their employment this was the first time that it was brought to our notice that there were 28 workmen other than the 77 referred to above who had lost employment and that this amount was intended for distribution among them as well.

The question of the payment of a gratuity to those 28 workmen does not fall within the scope of this enquiry but we felt that the payments made to those workmen had a bearing on the payments made to the 77 workmen whose claims are being investigated.

The parties were therefore directed to file separate statement showing what amount had been distributed among the 77 workmen who are parties to this dispute and what amount had been distributed among the 28 other workmen.

9. These statements have been filed marked P. 1 and P. 5 (a). Statement P. 1 shows that a sum of Rs. 35,982.63 had been distributed among the 77 workmen whose names appear in Schedule A. The amount to which each of these workmen is entitled as gratuity is shown against his name in this Schedule.

The statement P5 (a) shows that the balance sum of Rs. 14,017.37 had been distributed among the 28 other employees.

The names of these 28 workmen and amount to which each one of them is entitled as gratuity is shown in Schedule "B" hereto.

The numbers within brackets are the numbers given in R.1A.

10. Mr. Wijemanne stated that out of the sum of Rs. 35,982.63 distributed among the 77 members of the Union a sum of Rs. 35,892.33 had already been paid to 74 employees leaving a balance of Rs. 90.30 unpaid as follows:—

	R. c.
16. K. Simoni Fernando (4)	... 31.50
47. M. Sarnelis (87)	... 29.40
48. W. D. L. Fernando (83)	... 29.40

This amount has been brought to court by Mr. Wijemanne and is in deposit with the Commissioner of Labour.

Receipts have been produced by the Union for payments made to the 74 members referred to above and we are satisfied that these payments have been made to them.

No award need therefore be made in respect of these 74 workmen.

No reason has been given as to why the three workmen mentioned above have not accepted the money due to them. They are however bound by these proceedings and our award in respect of these workmen is that they be paid the amount due to them as stated above out of the money in deposit.

11. Out of the sum of Rs. 14,017.37 distributed among the 28 workmen who are not parties to this dispute Rs. 11,558.78 has been paid to 26 workmen. The balance sum of Rs. 2,458.59 has been brought to court by Mr. Wijemanne and is in deposit with the Commissioner of Labour.

This amount is due to the following workmen as follows:—

	Rs.	c.
15. Simonie (75) ...	193	20
26. D. Bernard Costa (103) ...	2,265	39

As stated earlier the distribution of this sum of Rs. 14,017.37 is not a matter that comes within our purview and the parties need not have brought this matter to our notice at all, but for a desire on the part of both the Company and the Union to place all the relevant facts before this court with a view to satisfying us that there has been no discrimination and that the available money had been distributed in a fair and equitable manner among all those who had a claim to it.

We have therefore decided without making it a part of this award to give directions with regard to the disposal of Rs. 2,458.59 which has been brought to court the only other alternative for us being to order the refund of the amount to the Union which we consider will not be appreciated by any of the parties concerned.

12. Simonie No. 15 (75) is not bound by these proceedings and it is only optional for him to accept the Rs. 193.20 set apart for him if he so decides. This amount may be paid to him out of the Rs. 2,358.59 deposited with the Commissioner of Labour if and when an application is made by him for payment.

13. D. Bernard Costa No. 26 (103) is dead. One W. D. D. Costa, W. D. J. Costa and W. D. M. P. Costa made an application to this court that the amount in deposit to the credit of this employee be paid to their mother Sarukkalige Rosa Maria Fernando.

At the enquiry into this application held on 3rd February, 1960, M. D. J. Costa, W. D. M. P. Costa and Sarukkalige Rosa Maria Fernando were present.

They stated that D. Bernard Costa died on 19.8.59 and produced a certified copy of his last will and testament No. 3559 dated 26.7.59 attested by H. D. Z. Siriwardena, N. P. of Negombo—"X".

Sarukkalige Rosa Maria Fernando is the executrix named in the Last Will. This has not yet been admitted to probate. She will be entitled to make an application in the testamentary proceedings to have that sum of Rs. 2,265.39 transferred to the credit of the estate of the deceased testator.

The application to pay this amount to Sarukkalige Rosa Maria Fernando is refused.

14. An application was made on the 10th December, 1959, by 88 persons claiming to be ex-employees of the Company to have themselves added as parties to this dispute under regulation 27 of the Industrial Disputes Regulations, 1958. These applicants are not members of any Trade Union.

When this matter was taken up for enquiry on 12th December, 1959, Mr. J. Austin Fernando with Messrs. K. J. Livera and S. A. Gunawardena of the Negombo Social Assistance Bureau appeared for them.

Messrs. W. K. Wijemanne and J. C. Byrnell were also present.

According to the particulars given in the application these applicants had left the service of the Company during various years from 1929 to 1958. Neither the dates nor the months when they had last served the Company were given.

Mr. Byrnell stated that the 105 employees among whom Rs. 50,000 had been distributed were the only workmen who, according to the company checkroll, had been in the service of the Company till November, 1958, and that he had not had sufficient time to verify whether these applicants had been employees of the Company at all.

Mr. Fernando then undertook to file an amended list giving the dates on which the services of these applicants had been terminated.

15. This amended list when filed was found to be no improvement on the previous one. Mr. Fernando could give only the month in respect of two of the applicants who were alleged to have left in September and December, 1958, respectively.

Mr. Byrnell stated that he could not find the names of any of these applicants in the checkroll except that of Graziane Fernando No. 10 but that he had left on 20th March, 1959, and was not entitled to a gratuity.

Mr. Byrnell raised the further objection that in any event these applicants were not entitled to be joined as parties under the said regulation.

We are of opinion that this contention is sound.

The applicants can succeed only if they could satisfy us that their interests are affected by this dispute and that those interests will be affected to their prejudice by any award made by us in this dispute if they are not joined as parties.

The parties had already settled their dispute by the time this application was made and we are not satisfied that their interests are either affected by this dispute or that this settlement will prejudice their claim to a gratuity from the Company if they are entitled to it.

We therefore upheld the objection and refused the application made by these 88 persons to be joined as parties to this dispute.

16. Dr. S. Petiyagoda ceased to be a member of this Court by resignation as from the 28th of January, 1960.

P. B. DE SILVA,
President.

A. H. M. ISMAIL,
Member.

Colombo, July 2, 1960.

SCHEDULE "A"

No.	Name	Amount of gratuity paid or not	Rs.	c.
1	A. Victor Perera	(23)	252	0
2	Y. Peduru Appuhamy	(20)	252	0
3	Thomas Jury	(19)	1,844	82
4	Peter Jury	(28)	220	50
5	W. Manuel Appuhamy	(31)	598	50
6	G. Olimpico	(27)	252	0
7	H. Wilfred	(22)	189	0
8	M. D. Girigoris Appuhamy	(32)	598	50
9	H. Vincent Silva	(21)	283	50
10	H. Premadasa Silva	(30)	63	0
11	P. D. Saviel Appuhamy	(24)	252	0
12	M. D. Joseph Appuhamy	(29)	63	0
13	J. D. Mary Angeline	(41)	1,009	43
14	R. Somapala	(48)	31	50
15	W. A. P. Justina Silva	(47)	1,009	43
16	K. Simoni Fernando	(40)	31	50
17	W. Madalena Fernando	(36)	1,009	43
18	W. Lily Livera	(37)	765	0
19	M. Aloris Fernando	(44)	800	50
20	Pavistina Kamel	(38)	9	50
21	K. D. Rosalin Fernando	(46)	870	20
22	W. Lusihamy	(34)	1,009	43
23	S. D. Martihamy	(33)	1,009	43
24	M. Rosalin Fernando	(42)	1,009	43
25	M. B. Harry	(39)	730	97
26	Johana Pieris	(35)	1,009	43
27	Silmaguruge Alis Fernando	(66)	120	75
28	K. Rosilin Kamel	(65)	458	85
29	Mahamalge Sisiil Fernando	(68)	96	60
30	W. Roisa Fernando	(71)	576	62
31	Mary Fernando	(70)	120	75
32	H. Lily Hamy	(74)	120	75
33	Veronika Costa	(72)	120	75
34	G. Margaret Fernando	(67)	631	53
35	R. W. Acknas Hamy	(69)	217	35
36	Asu Muni Lillinona	(17)	96	60
37	W. Basil Fernando	(82)	499	80
38	S. Jokinu Fernando	(85)	117	60
39	Rogus Appuhamy	(88)	147	0
40	W. Jayasoma Silva	(55)	44	10
41	J. Valatine Fernando	(86)	147	0
42	H. Piyasena Silva	(76)	264	60
43	H. Victor Silva	(77)	147	0
44	Sudharma Silva	(84)	117	60
45	R. A. Jayasena	(56)	88	20
46	J. Simon Fernando	(90)	58	80
47	M. Saranelis	(87)	29	40
48	W. D. L. Fernando	(83)	29	40
49	W. Ramond Fernando	(14)	235	20
50	G. Kaithan Fernando	(5)	294	0
51	K. W. Nobert	(15)	294	0
52	M. A. Narsus Appuhamy	(2)	686	87
53	W. Lazares Sovis	(16)	117	60
54	K. Manuel Fernando	(3)	235	20
55	V. Michael Fernando	(12)	752	28
56	U. A. Appuhamy	(13)	294	0
57	W. Visideru Gunasekera	(4)	205	80
58	P. D. Pilippu Appuhamy	(11)	850	40
59	A. W. P. Romel Silva	(100)	1,062	77
60	Ranti Silva (Watcher)	(99)	1,720	12
61	D. David Fernando	(98)	1,965	85
62	Liyanage Juan Fernando	(7)	1,735	52
63	Sebastian Appuhamy	(9)	69	30
64	P. D. Benjamin Appuhamy	(10)	89	25
65	W. Menick Appuhamy	(8)	277	20
66	W. Bennet Perera	(78)	29	40
67	J. P. Themis	(80)	37	80
68	W. Manuel Pilip Costa	(79)	75	60

No.	Name	Amount of gratuity Rs. c.	Whether paid or not	No.	Name	Amount of gratuity Rs. c.	Whether paid or not
69	G. Simiyon Fernando	(49) .. 988 96..	Paid	10	Michael	(60) .. 42 0..	Paid
70	G. Aberan Appuhamy	(52) .. 396 90..	Paid	11	Milton	(61) .. 336 0..	Paid
71	W. Pieter Sovis	(50) .. 735 38..	Paid	12	Mary	(62) .. 155 40..	Paid
72	P. D. Siyadoris Appuhamy	(53) .. 286 65..	Paid	13	Pedrick	(63) .. 1,092 0..	Paid
73	N. A. Perera	(51) .. 735 38..	Paid	14	Hendrick	(64) .. 252 0..	Paid
74	Ruband Silva	(94) .. 264 60..	Paid	15	Simonie	(75) .. 193 20..	Not paid
75	H. Nelson Silva	(54) .. 176 40..	Paid	16	Wijayasena	(81) .. 117 60..	Paid
76	Wanekulasuriya Nensalia	(73) .. 193 20..	Paid	17	Dhanapala	(89) .. 29 40..	Paid
77	M. D. James Appuhamy	(1) .. 1,668 10..	Paid	18	T. Peter	(91) .. 24 15..	Paid
SCHEDULE "B"							
1	M. Anthony	(16) .. 294 0..	Paid	19	Alocius	(92) .. 144 90..	Paid
2	Sirisena	(18) .. 120 75..	Paid	20	T. Piyadasa	(93) .. 24 15..	Paid
3	Maesaline	(25) .. 189 0..	Paid	21	K. D. Andrew	(95) .. 382 20..	Paid
4	Anthony	(26) .. 800 0..	Paid	22	K. D. Antony	(96) .. 1,699 39..	Paid
5	Vinni	(43) .. 189 0..	Paid	23	Isaac Appuhamy	(97) .. 318 75..	Paid
6	Marihamy	(45) .. 1,009 43..	Paid	24	Sathamni	(101) .. 345 0..	Paid
7	Justin	(17) .. 252 0..	Paid	25	Punchibanda	(102) .. 176 40..	Paid
8	Joseph	(58) .. 168 0..	Paid	26	D. Bernard Costa	(103) .. 2,265 39..	Not paid
9	Lesly	(59) .. 42 0..	Paid	27	J. Jacob	(104) .. 1,948 24..	Paid
				28	Phillipu Fernando	(105) .. 1,406 44..	Paid

FORM 7

The Indian and Pakistani Residents (Citizenship) Act, No. 3 of 1949-

NOTIFICATION UNDER SECTION 16 (1) (c) OF THE ACT

IT is hereby notified, under section 16 (1) (c) of the Indian and Pakistani Residents (Citizenship) Act, No. 3 of 1949, that each person particulars of whom are specified in column I of the Schedule hereto was, on the date specified in the corresponding entry in column II of that Schedule, registered as a citizen of Ceylon in the register of citizens kept under section 16 (1) (a) of the Act.

Colombo, July 15, 1960.

A. E. GOGERLY MORAGODA,
Commissioner for the Registration of Indian and Pakistani Residents.

SCHEDULE 60/11

I
Particulars of Person Registered as a Citizen of Ceylon

II

Name	Age	Sex	Address	
Mudiappan Vedamuthu ..	68	M	All of Somerset Estate, Udahentenne, October 8, 1959 Gampola	
Sandanamariyal ..	66	F		
Packiam ..	26	F		
Ponnambalampillai Murugiahpillai	53	M	Both of Murugolle Estate, Pussellawa .. do.	
Thylamma ..	—	F		
Iyakannoo Veloo ..	48	M	All of Kandauwara Estate, Matale .. do.	
Soranam ..	37	F		
Ramoo <i>alias</i> Arumugam ..	17	M		
Thilagawathy <i>alias</i> Seedeviamma	13	F		
Sandanam ..	12	M		
Selladorai ..	9	M		
Alagan Pitchaie, ww/o Ponnalagu	43	F		
Karumalayen ..	23	M	All of Strathisla Estate, Alwatte, Matale .. do.	
Ponnammah ..	19	F		
Adikamma <i>alias</i> Vellayammal	15	F		
Muthusamy Palaniyandy	50	M	All of Upper Division, North Punduloya Estate, Punduloya .. do.	
Sittal ..	48	F		
Caruppaie <i>alias</i> Letchumy	26	F		
Velu ..	23	M		
Veerammah <i>alias</i> Ponnammah	20	F		
Arumugam ..	17	M		
Velaie ..	14	F		
Marimuthu ..	10	M		
Caruppiyah Caruppen ..	48	M		All of Lower Division, North Punduloya Estate, Punduloya .. do.
Thyammal ..	35	F		
Petchiammal ..	16	F		
Vally ..	15	F		
Veeramma ..	12	F		
Thanaletchumy ..	9	F		
Mookan Alagan ..	58	M	All of Kaipogalla Estate, Punduloya .. do.	
Sinnammal ..	63	F		
Ramalingam ..	23	M		
Sellaie ..	18	F		
Kuncharam, ww/o Solamalay Malayandy	37	F	All of Maha Uva Estate, Harasbedde .. do.	
Manickam <i>alias</i> Manikie	17	F		
Amarawathie ..	15	F		
Sellam ..	13	F		
Purnam <i>alias</i> Jayapoornam	11	F		
Kadirmalay <i>alias</i> Kathermala	7	M		
Meiyappan Awaday ..	43	M	All of St. Leonard's Estate, Halgranoya .. do.	
Mariaie <i>alias</i> Meenatchy	38	F		
Veeeraie ..	22	F		
Sellamma ..	20	F		
Velautham ..	19	M		
Perumal ..	16	M		
Kamalaie <i>alias</i> Palaniaie	14	F		
Murugiah ..	10	M		
Kanagaratnam ..	8	M		
Karuppiyah Ramasamy ..	29	M		All of Ratnillakelle Division, Holyrood Estate, Talawakelle .. do.
Sellammal ..	24	F		
Gandimathyammal ..	6	F		
Jayamoney ..	4	F		
Selvarani ..	1	F		

I
Particulars of Person Registered as a Citizen of Ceylon

II

Name	Age	Sex	Address	
Dharmiah Perumal	33	M	All of Avoca Division, Clarendon Estate, Nanuoya	October, 8 1959
Pathmawathie	28	F		
Ramachandran	11	M		
Yesudian Arthur Jebagnanam	41	M	All of Maladova Group, Madulsima	do. December 3, 1959
Grace Ponnuthai	29	F		
Ravinthranath Julian	9	M		
Francois Rajakumar Reuben	2	M	do.
Mary Sahuntala Selvamalar	6mths.	F		
Suppiah, s/o Andayappan alias Seeyanpilli	40	M		
Sinnammal	—	F	All of Factory, Cullen Estate, Badulla	October 8, 1959
Nallathamby	19	M		
Caruppaie	17	F		
Veeramma	15	F
Caruppiah	13	M		
Visalachi	12	F		
Wijyalakshimie	9	F	All of Ekkeralle Estate, Opanake	do. November 23, 1959
Velusamy	6	M		
Thanapackiam	4	F		
Perumal, s/o Sittu	37	M	do.
Solatchie	—	F		
Ramasamy	6	M		
Kandasamy	4	M	do.
Angale	10mths	F		
Sellaperumal Pillai Marimuthu	29	M			All of No. 3 Division, Rockwood Estate, Hewaheta	October 8, 1959
Angamma	28	F		
Arputharani alias Alagamma	9	F		
Mullangiammal	8	F	May 19, 1960
Sasikaladevi	6	F		
Balakumar	2	M		
Sandirakumar	1	M	do.
Vyapuri Veeriah alias Veeran	39	M		
Sellammal	30	F		
Canniamma alias Saraswathie	16	F	All of Fairfield Division, Mount Vernon Estate, Kotagala	October 8, 1959
Sivapackiam alias Thanam	14	F		
Nadaraj	12	M		
Kamalala	10	F	do.
Letchumie	8	F		
Parwathy	6	F		
Moorthy	4	M	Both of Thornfield Estate, Agrapatana	do.
Ammadassie Veloo	54	M		
Nallamma	44	F		
Perumal Thangalan	59	M	All of Big Drayton Estate, Kotagala	do.
Pathammal	47	F		
Genveeran	16	M		
Valliamma	13	F	All of 1st Division, Diyagama West Estate, Agrapatana	do.
Annamalay Ramasamy	49	M		
Unnamalai	40	F		
Valliammah	19	F	do.
Subramaniam	14	M		
Arumugam	8	M		
Kalimuthu Mookiah	40	M	All of No. 2, Patana Bazaar, Kotagala	do.
Ramaie	24	F		
Rajamanickam	6	F		
Balaraju	3	M	February 12, 1960
Krishnaveni	2	F		
Ramasamy Duraisamy	52	M		
Alamel	47	F	All of Clydesdale Estate, Agrapatana	October 8, 1959
Ramasamy alias Rasoo	26	M		
Veerasamy	23	M		
Nallusamy alias Gopal	21	M	do.
Raman Veeran	42	M		
Sinnammal	37	F		
Ramaie	17	F	All of Balmoral Estate, Agrapatana	do.
Rajambal	9	F		
Ramanathan	5	M		
Periathamby Nadeson	42	M	All of Muwankande Estate, Mawatagama	do.
Ponnammal	40	F		
Periathamby	23	M		
Sidambaram	20	M	do.
Muniammal	17	F		
Arumugam	12	M		
Pathamanthan	10	M	All of Battawatte Estate, Madulsima	do.
Aiyasamy Mutiah Ramiah	41	M		
Manonmony	—	F		
Retneswari	12	F	December 28, 1959
Puvaneswari	10	F		
Yogeswari	9	F		
Sundareswari	8	F	do.
Mohaneswari	5	F		
Buvanenthira Raj	6	M		
Malleswary	4	F	do.
Jotheeswary	1	F		
Andiappan Thangavelu	43	M		
Letohimythai	39	F	All of G. B. Amarias Silva & Co., Namunukula	October 8, 1959
Ramalingam alias Ramachandran	18	M		
Cadiravel alias Thiyagarajah	17	M		
Sithiramoney	13	F	do.
Jeyapackiam	7	F		
Tharmalingam	4	M		
Periyathamby Mutiah	42	M	All of Kondagolla Division, Waldemar Group, Udupussellawa	do.
Mariaie	32	F		
Marimuthu	21	M		
Karuppiah	17	M
Shanmugam	14	M		

I
Particulars of Person Registered as a Citizen of Ceylon

II

Name	Age	Sex	Address	
Pakkiam Sinnappen	48	M	All of Annfield Estate, Lindula	October 8, 1959
Mariackannu	43	F		
Pragasam <i>alias</i> Pragasammal	24	F		
Peter	21	M		
Mary	19	F		
Raju	17	M		
Theresammah	15	F		
Philomina	13	F		
Gnanapiragasam <i>alias</i> Gabriel	10	M		
Ponnudurai	8	M		
Nallu Nallu	59	M	All of Yoxford Estate, Talawakelle	do.
Andichy	58	F		
Cadiraie	24	F		
Valliammah	21	F		
Vellamy Carlimuthu	33	M	All of Yoxford Estate, Talawakelle	do.
Sevanaie	31	F		
Mookaie	9	F		
Rajeswary	2	F		
Sanmugam Kannusamy	41	M	All of Lindula Estate, Talawakelle	do.
Sarathambal	28	F		
Ramasamy <i>alias</i> Yoganathan	8	M		
Yogarajan	5	M		
Maruthay Kammalan <i>alias</i> Karumalay	64	M	All of Mount Jean Estate, Watawala	do.
Palaniaie	50	F		
Muthusamy	18	M		
Narayanan Sinniah	37	M	Both of Accoramalay Division, Meddecombra Estate, Watagoda	do.
Sellammah	27	F		
Salambaram Madasamy	68	M	Both of Hoonocotuwa Estate, Kotmale	do.
Kaliammal	50	F		
Sangaran Sandanam Ratnam	37	M	All of Meddecombra Estate, Watagoda	do.
Sandanam	29	F		
Rosemary	9	F		
Anthony	7	M		
Ramasamy Caruppiyah	32	M	All of Mount Vernon Estate, Kotagala	do.
Ilanjeyam	21	F		
Jayanthi	5	F		
Perianaikie	2	F		
Muthusamy Perumal	34	M	Both of Bambarakelle Estate, Nuwara Eliya	do.
Mariaie	30	F		
Varatban Sinnapayal	38	M	All of Bambarakelle Estate, Nuwara Eliya	do.
Mary	30	F		
Subramaniam	11	M		
Mahalingam	7	M		
Puspavally	5	F		
Kuppu	2	F		
Muthusamy Sinniah	31	M		
Letchumy	27	F		
Jeganathan	5	M		
Ponusamy Mariammal <i>ww/o</i> Rayappan			All of Calsay Estate, Nanu Oya	do.
Ratnam	57	F		
Rayappan <i>alias</i> Thangaraj	27	M		
Annelvam	24	F		
Irudehyasamy	22	M		
Madalemarie <i>alias</i> Ranjitha Mary	18	F		
Xavier Maireraj	14	M		
Joseph	11	M		
Kuppamuthu Sivasamy	40	M	All of Calsay Estate, Nanu Oya	do.
Mariaie	28	F		
Ramasamy	12	M		
Anthonymuthu Arockiam	37	M	All of Calsay Estate, Nanu Oya	do.
Savariammah	34	F		
Jeyamalai <i>alias</i> Somalay	13	M		
Reethammah	12	F		
Savarimuthu	7	M		
Joseph	3	M		
Jeyaperumal Ponnambalam	54	M		
Veeramalay <i>alias</i> Perumal	27	M		
Gundoo <i>alias</i> Mahamuny	21	M		
Periakka <i>alias</i> Thangal	16	F		
Kunadian <i>alias</i> Yeruthalam	13	M		
Sinniah Silambaram	44	M	All of Pedro Group, Nuwara Eliya	do.
Panjalay	40	F		
Kuppaie	18	F		
Alagammal <i>alias</i> Iyamma	14	F		
Sinniah	11	M		
Parwathy	10	F		
Jayaraj	8	M		
Packiam <i>alias</i> Sivapackiam	7	F		
Thanapackiam	5	F		
Revathy	3	F		
Kuppen Veeraiya	33	M	All of Lover's Leap Division, Pedro Group, Nuwara Eliya	do.
Cathiraie	27	F		
Mariatha	6	F		
Sandrasekaram	3	M		
Parasuraman Subrayan	56	M	All of Upper Division, Oliphant Estate, Nuwara Eliya	do.
Kaly	50	F		
Patchamuthu	18	M		
Amarawathy	5	F		

I

II

Particulars of Person Registered as a Citizen of Ceylon

Name	Age	Sex	Address	
Sevan Sāminathan	49	M	All of Court Lodge Estate, Kandapola	October 8, 1959
Caruppaie	44	F		
Valliammah	26	F		
Chelliah	24	M		
Kandiah	21	M		
Araie	19	F		
Mariaie	17	F		
Jeganathan	13	M		
Packiam	12	F		
Manivelu	10	M		
Peraman Kathirvelu	33	M	All of Hethersett Estate, Kandapola	do.
Magamaie	26	F		
Jayaletchumy	8	F		
Veerappan	5	M		
Murugiah	3	M		
Sannasi Sinniah	49	M	Both of Naseby Estate, Nuwara Eliya	do.
Rasammal	18	F		
Murugan Abraham <i>alias</i> Murugan Kandiah Pillai	30	M	Both of Naseby Estate, Nuwara Eliya	do.
Rasammah	19	F		
Sandanam <i>ww/o</i> Michael <i>alias</i> Murugan	52	F	Both of Naseby Estate, Nuwara Eliya	do.
Sinnamma <i>alias</i> Pappammal	24	F		
Kuppan Perumal	33	M	All of Calsay Estate, Nanu Oya	do.
Pappaie	28	F		
Selvarajah	9	M		
Rakkan Sundaram	61	M	All of Calsay Estate, Nanu Oya	do.
Rakammah	51	F		
Samayan <i>alias</i> Pitchay	24	M		
Sangili Ponnambalam	38	M	Calsay Estate, Nanu Oya	do.
Yesudian Savarimuthu	30	M	Calsay Estate, Nanu Oya	do.
Muthusamy Muthusamy	37	M	Forest Department Line, New Road, Kandapola	do.
Periyannpillai <i>alias</i> Periampillai Nallathamby	27	M	Calsay Estate, Nanu Oya	do.
Murugan Thangavelo	25	M	Lower Division, Glassough Estate, Nanu Oya	do.
Munisamy Marimuthu <i>alias</i> Rengan	29	M	Keenagoda Division, Yapame Estate, Lunugala	do.
Natchiappen Manuvale	43	M	All of Murraythwaite Estate, Kiriwattuduwa	do.
Poovaie	39	F		
Sivapackiam <i>alias</i> Walliammah	18	F		
Nagamma	15	F		
Nachiappen	13	M		
Palamma	11	F		
Dharmalingam	8	M		
Mutiah	6	M		
Gnanamma	4	F		
Ramasamy Patchaiappan	37	M			All of Upper Division, Bogahawatte Estate, Kotagala	do.
Thangarsaja	13	M		
Saraswathie	11	F		
Jayaletchumy	5	F		
Balakrishnan	1	M		
Kotapuly Sadayan	47	M	All of Upper Division, Wangioya Estate, Nanu Oya	do.
Neelawathy	42	F		
Ramalingam <i>alias</i> Ramasandram	24	M		
Pakianathan	17	M		
Veeriah <i>alias</i> Sivalingam	13	M		
Valliamma	3	F	All of Lower Division, Wangioya Estate, Nanu Oya	do.
Santhiyagoo Marian <i>alias</i> Jebamalai	47	M		
Yesammah <i>alias</i> Madalayammah	45	F		
Thiresammal	19	F		
Robert Thevadasan	17	M		
Joseph	14	M	All of Radella Estate, Nanu Oya	do.
Arpudamarie <i>alias</i> Sandanam	11	F		
Augustine	7	M		
Pakkiam	2	F		
Thomas Sebastian	47	M		
Anthoniamma	44	F	All of Radella Estate, Nanu Oya	do.
Savaraije	25	F		
Sandanam <i>alias</i> Sandanamary	19	F		
Michael	16	M		
Mariyamadalena	13	F		
Anthoniamma	10	F	All of Radella Estate, Nanu Oya	do.
Mariasocai Anthony <i>alias</i> Savarinayagam	33	M		
Jebamalai	26	F		
Sebastian	9	M		
Joseph	7	M		
Ritamma	5	F	All of Alnwick Estate, Udapussellawa	October 8, 1959
Stephen	3	M		
Benedict	1	M		
Mookan Adaikkan	47	M		
Amurtham	40	F		
Kathiravel	23	M	All of Alnwick Estate, Udapussellawa	October 8, 1959
Valliammah	21	F		
Karuppaie	20	F		
Rakkammah	18	F		
Anjalay	17	F		
Mariaie	12	F		
Selvaraj	10	M		
Subramanayan	8	M		
Sivalingam	7	M		

June 17, 1960

I
 Particulars of Person Registered as a Citizen of Ceylon

II

Name	Age	Sex	Address			
Sadayan Kandasamy 51 ..	M	All of Mahagastota Estate, Nuwara Eliya ..	October 8, 1959		
Mariaie ..	.. 34 ..	F			
Veeramma alias Vellama ..	.. 22 ..	F			
Muthiah ..	.. 19 ..	M			
Doraisamy ..	.. 15 ..	M			
Ramasamy ..	.. 10 ..	M			
Letchumie ..	.. 10 ..	F			
Rajamanickam 5 ..	M	All of Calsay Estate, Nanu Oya ..	do.		
Sangapillai Kumudayan ..	.. 29 ..	M			
Jeyamani alias Jothimoney ..	.. 6 ..	F			
Thangal 3 ..	F	All of Calsay Estate, Nanu Oya ..	do.		
Seerangan Mookan ..	.. 57 ..	M			
Letchumie ..	.. 52 ..	F			
Muthusamy ..	.. 26 ..	M			
Papathy ..	.. 22 ..	F			
Perumal ..	.. 17 ..	M			
Seerangan ..	.. 14 ..	M			
Mariaie 11 ..	F	All of Upper Abbotsford Division, Dessford Group, Nanu Oya ..	do.		
Vellayammah ..	.. 7 ..	F			
Veeran Nalloo ..	.. 47 ..	M			
Nallammah 40 ..	F	All of Lower Abbotsford Division, Dessford Group, Nanu Oya ..	do.		
Akkammah ..	.. 16 ..	F			
Govindamma alias Rukmani ..	.. 12 ..	F			
Muthusamy Kandan ..	.. 49 ..	M			
Thirumaie ..	.. 40 ..	F			
Sinnamma ..	.. 20 ..	F			
Sinniah ..	.. 16 ..	M			
Periasamy 13 ..	M	All of Portswood Division, Coutlodge Estate, Kandapola ..	do.		
Pappathy ..	.. 10 ..	F			
Anditchy ..	.. 8 ..	F			
Ramasamy ..	.. 5 ..	M			
Nagamma ..	.. 3 ..	F			
Kumarasamy Supparayan ..	.. 36 ..	M			
Pappathy ..	.. 31 ..	F			
Thenapackiam 15 ..	F	All of Calsay Estate, Nanu Oya ..	do.		
Thangavelu ..	.. 12 ..	M			
Thanaletchumy ..	.. 9 ..	F			
Saraswathy ..	.. 6 ..	F			
Vijayan ..	.. 3 ..	M			
Mangan Muthuveeran ..	.. 47 ..	M			
Ramaie ..	.. 39 ..	F			
Veloo alias Rason 20 ..	M	All of Calsay Estate, Nanu Oya ..	do.		
Caruppiyah alias Mangan ..	.. 17 ..	M			
Palaniammah ..	.. 11 ..	F			
Palaniandy Muthuveeran ..	.. 36 ..	M			
Seerangaie ..	.. 28 ..	F			
Monorangithan ..	.. 6 ..	F			
Suppiah Ameenal 64 ..	F			Both of Calsay Estate, Nanu Oya ..	do.
Arunasalam ..	.. 22 ..	M			
Karuppan Muthusamy ..	.. 33 ..	M			
Valliammai ..	.. 26 ..	F			
Pitchaie ..	.. 4 ..	F			
Yesadian Rayappen alias Joakin ..	.. 58 ..	M			
Savariaie alias Arokiam 42 ..	F	All of Calsay Estate, Nanu Oya ..	do.		
Soosai alias Soosainathan ..	.. 26 ..	M			
Sevathian alias Sebastian ..	.. 21 ..	M			
Jebamalay alias Jebamalal Marian ..	.. 18 ..	M			
Anthony Mary alias Anthoniammah ..	.. 7 ..	F			
Anthoniammah ..	.. 4 ..	F			
Periannan Pootchy 49 ..	M			All of Calsay Estate, Nanu Oya ..	do.
Rathinam ..	.. 46 ..	F			
Palaniamma ..	.. 24 ..	F			
Meiyalagan alias Suppiah ..	.. 19 ..	M			
Letchumy alias Mariaie ..	.. 16 ..	F			
Nadarajah ..	.. 14 ..	M			
Mariaie alias Letchumy ..	.. 9 ..	F			
Sathivail 6 ..	M	Of Lower Division, Glassough Estate, Nanu-Oya ..	do.		
Ramasamy Perumal ..	.. 40 ..	M			
Madalamuthu Paranjothi ..	.. 45 ..	M			
Francis Augustine 16 ..	M			All of Wangie Oya Estate, Nanu Oya ..	do.
Peter alias Madalamuthu ..	.. 12 ..	M			
Vincent Paul ..	.. 10 ..	M			
Madalamuthu ..	.. 8 ..	M			
Periannan Sinniah ..	.. 39 ..	M			
Thangamma ..	.. 31 ..	F			
Kuttianen 14 ..	M	All of Udumulla, Kadurugamuwa, Diya-talawa ..	do.		
Kaliammah ..	.. 5 ..	F			
Kandasamy ..	.. 4 ..	M			
Parattayan Mundan ..	.. 62 ..	M			
Kitnan ..	.. 25 ..	M			
Veloo ..	.. 22 ..	M			
Shannugam alias Parattyan 19 ..	M			All of Bungalow Division, Waldemar Group, Udapussellawa ..	do.
Savariappan Savarimuthu ..	.. 34 ..	M			
Jebamalay 30 ..	F				
Savarimuthu alias Savarianayagam 11 ..	M				
Manivel 9 ..	M				
Rayappen 5 ..	M				

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II

Particulars of Person Registered as a Citizen of Ceylon

Name	Age	Sex	Address	
Pethan Palany	48	M	All of Kondagalla Division, Waldemar Group, Udapussellawa	October 8, 1959
Kadirai	40	F		
Kadiravel	3	M		
Kathiah <i>alias</i> Kandiah	21	M		
Durairaj <i>alias</i> Ramasamy	18	M		
Selvam <i>alias</i> Sellambaie	15	F		
Vellatchy	12	F		
Muthiah Periyasamy	35	M	All of Upper Division, Keenakelle Group, Badulla	do.
Thailamma <i>alias</i> Pottammal	26	F		
Krishnamoorthy	7	M		
Iyavoo Ramalingam	38	M	All of Kendagolla Division, Telbedde Estate, Badulla	do.
Muthaie	31	F		
Mundiah <i>alias</i> Mundan	11	M		
Annathanam	9	F		
Muthucaruppan Kandasamy	67	M	All of 118, Galadanda Gedera, Kanupella, Badulla	do.
Karuppaie	62	F		
Vadivel	25	M		
Palaniyandy Subramaniam	36	M	All of Angurumalay Division, Unugala Group, Hali Ela	do.
Maruthaie	23	F		
Ilangovan	9	M		
Manonmoney	4	F		
Muthiah Periasamy	62	M	All of Kinross Estate, Hali Ela	do.
Vedangy	50	F		
Kandiah	29	M		
Theivanai	27	F		
Cadiraie	24	F		
Awadatchy <i>alias</i> Lakshmi	21	F		
Suppiah <i>alias</i> Karpen	17	M		
Karuppaie	15	F		
Sevendayie	13	F		
John Thomas	68	M	Both of Hatnagalla Division, Yogama Group, Dehiowita	do.
Elsie	62	F		
Murugan Ammavasi	51	M	All of Illuktenne Estate, Dehiowita	do.
Mookaie	37	F		
Ramiah <i>alias</i> Sannasie	16	M		
Navamanie <i>alias</i> Amurtham	12	F		
Sundaram <i>alias</i> Vallamma	9	F		
Muniyandy Raman	35	M	Both of Owilikande Estate, Matale	do.
Thaiah	27	F		
Mooockan Nalloo	52	M	All of Pingarawa Estate, Namunukula	do.
Muniammah	—	F		
Nadeson	17	M		
Mookan	12	M		
Vijeyaatchumy	9	F		
Periannan Caruppiah	55	M		
Arraie	43	F	All of Pahan Estate, Kalutara South	August 24, 1959
Caderaie	21	F		
Vengadasalam	18	M		
Arunasalam	16	M		
Kailasam	12	M		
Nadaraja	10	M		
Paramanathan	4	M		
Renganathan	2	M		
Andy Muniandy	45	M			.. .. .	October 8, 1959
Murugaie	40	F		
Subramaniam	19	M	All of Bitterne Division, Brownlow Group, Maskeliya	October 12, 1959
Thevaki <i>alias</i> Thavie	16	F		
Krishnan	13	M		
Mallan Ponnambalam	56	M		
Sinnamma	47	F	All of Kintyre Estate, Maskeliya	do.
Andy <i>alias</i> Mallan	22	M		
Arockiam Joseph	55	M		
Jebamalai Marie	37	F	All of Bunyan Estate, Maskeliya	do.
Lazarus	21	M		
Elizabeth	18	F		
Therasammal	16	F		
Leonara Xavier	13	M		
Catherine	10	F		
Velu Sivanandy Muthu	39	M	All of No. 40, Norwood	do.
Kathiraie	30	F		
Mailwaganam <i>alias</i> Palanivale	13	M		
Jayaratanam	5	M		
Muthusamy Veeriah	52	M	All of St. Helier's Estate, Watawala	do.
Karuppiah	24	M		
Tharmalingam	18	M		
Rukmani	15	F		
Suppiah Gandhi	33	M		
Ramaie	26	F	All of Ovocha Division, Bunyan Group, Maskeliya	do.
Pappathy	7	F		
Rakkammah	5	F		
Veeramalay Ponnusamy	30	M	All of Lanka Division, Glentilt Group, Maskeliya	do.
Ramaie	24	F		
Periakal	6½	F		
Veeramalai	3	M		
Nagamma	1	F		

April 23, 1960

I II
Particulars of Person Registered as a Citizen of Ceylon

Name	Age	Sex	Address	
Solamuthu Nagalingam ..	45	M	All of Rhineland Estate, Pussellawa	October 12, 1959
Rakkammal ..	40	F		
Solayammah <i>alias</i> Kaliammah ..	16	F		
Mahaletchumy <i>alias</i> Letchimie ..	12	F		
Muthulethumy ..	10	F		
Ramalingam ..	6	M		
Koolayan Natchan ..	55	M		
Kundumony <i>alias</i> Caruppaie ..	34	F		
Sarjini ..	10	F		
Parimollen ..	8	F		
Jayamoney <i>alias</i> Kaliamma ..	6	F	All of No. 2 Division, Rookwood Estate, Hewaheta	do.
Sockalingam ..	2	M		
Capoorammah ..	1	F		
Muthusamy Sinnaperumal ..	39	M	All of Glasgow Estate, Agrapatana	October 12, 1959
Veeramma ..	32	F		
Namathevar ..	16	M		
Ramasamy ..	15	M		
Balakristnan ..	12	M		
Ramasamy Kitnan ..	36	M		
Nallammah ..	29	F		
Annakiliamah <i>alias</i> Thanaletchumie ..	10	F		
Vyapury Veerasamy ..	46	M		
Thevanaie ..	39	F		
Suppamal ..	17	F	All of Glenlyon Estate, Agrapatana	do.
Chetichie ..	14	F		
Periyannan Kathan ..	40	M		
Seeyalammai ..	32	F		
Waduwait ..	8	M		
Sickan Palaniandy ..	30	M		
Pappathy ..	29	F		
Sivapackiam ..	7	F		
Perumal Kuppusamy ..	49	M		
Suppammal ..	29	F		
Rukkumoney ..	3	F	All of Lower Division, Cranley Estate, Lindula	do.
Renghan Ramasamy ..	40	M		
Thimmaie ..	31	F		
Nallu ..	17	M		
Goval ..	15	M		
Jagathambal ..	10	F		
Parameswari ..	8	F		
Ghandimathi ..	6	F		
Muthusamy Raju ..	30	M		
Kathirai ..	24	F		
Krishnasamy ..	5	M	All of Holbrook Estate, Lindula	do.
Sundaram ..	2	M		
Melayappan Muthusamy ..	52	M		
Angammal ..	45	F		
Iyankutty ..	19	M		
Letchimai ..	14	F		
Farwathy ..	12	F		
Sevandan ..	10	M		
Angamuthu ..	7	M		
Maunial Gandhi ..	2	M		
Francis Anthonimuthu ..	52	M	All of Cranley Estate, Lindula	do.
Madaleammal ..	42	F		
Sinnammal ..	22	F		
Marie Sise ..	19	M		
Pakiasamy ..	17	M		
Arputhamarie ..	14	F		
Anthonymuthu Sevathiyam ..	39	M		
Rosammah ..	36	F		
Madalayamarie <i>alias</i> Madalaialammal ..	19	F		
Savaramma ..	16	F		
Annamma ..	14	F	All of Fairfield Estate, Lindula	do.
Anthonymuthu ..	11	M		
Selvanayagam ..	8	M		
Savarar ..	5	M		
Gnanapragasam ..	3	M		
Karuppan Velayutham ..	62	M		
Sinnammal ..	47	F		
Perianayagam Abraham Devasagayam ..	57	M		
Gnanapragasam ..	51	F		
Daisy Packiavathy ..	32	M		
Innasimuthu Rayar ..	24	F	All of Talawakelle Estate, Talawakelle	do.
Michaelammah ..	8	F		
Elizabeth ..	5	F		
Viyagula Marie ..	3	F		
Veronicama ..	3	F		
Ponniar Caruppiah ..	55	M		
Mariaie ..	34	F		
Murugesu ..	18	M		
Alagiah ..	7	M		
Narayanan, s/o Superamaniam ..	30	M			All of Mattakelle Estate, Talawakelle	do.
Kamatohy ..	29	F		
Navaratnam ..	5	M		
Parameswari ..	3	F		
Angamuthu, s/o Ramasamy ..	41	M		
Gengammal ..	31	F		
Kanaysamoorthy ..	13	M		
Sathiyamoorthy ..	10	M		
Savundari ..	8	F		
Velambal ..	6	F		
Parameswari ..	2	F		

I
Particulars of Person Registered as a Citizen of Ceylon

II

Name	Age	Sex	Address	
Ramasamy, s/o Govindaraj	38	M	All of Mattakelle Estate, Talawakelle	October 12, 1959
Mariaie	33	F		
Muniamma <i>alias</i> Rajam	12	F		
Visalatchy	11	F		
Thamoderam	7	M		
Sivalingam	5	M		
Anandaraju	3	M		
Jebamalai, s/o Supramaniam	37	M		
Valliammah	32	F		
Gunasekera	10	M		
Pooneswari	8	F	All of Mattakelle Estate, Talawakelle	do.
Mocharani	6	F		
Thangaraj	4	M		
Dharmadas	2	M		
Karupannan Pitchai	40	M		
Rajammal	34	F		
Kanagasabapathy	15	M		
Subramaniam	13	M		
Sarojini Devi	8	F		
Krishnamoorthy	6	M		
Raneswari	4	F	All of Bearwell Group, Talawakelle	do.
Thevarayan Periyannan	49	M		
Kamatthy	41	F		
Subramaniam	17	M		
Veerammah	13	F		
Sathivel	12	M		
Chinnasamy	10	M		
Raman	7	M		
Sevugan Palaniandy	37	M		
Alagammal	40	F		
Vembody	10	M	All of Fairfield Estate, Lindula	do.
Thanaletchumie	8	F		
Jayaletchumie	6	F		
Selvarajah	3	M		
Aravandy Ponnusamy	37	M		
Iyladam	28	F		
Sellam	12	F		
Manonmany	8	F		
Murugan Vadivale	29	M		
Poopathy	26	F		
Ramaie	2	F	All of Scalpa Division, Great Western Estate, Talawakelle	do.
Letchumy	2	F		
Kolanday Perumal	33	M		
Panjalay	27	F		
Renganathan	5	M		
Thangamma	4	F		
Caruppiah Ramalingam	56	M		
Soranam	50	F		
Sandavele	27	M		
Murugiah <i>alias</i> Kumaravale	24	M		
Mummothy <i>alias</i> Ramachandran	20	M	All of Glassaugh Estate, Nanu Oya	do.
Anjalla <i>alias</i> Anjalimoney	15	F		
Araie <i>alias</i> Amarawathy	14	F		
Valikkannu	8	M		
Ramasamy Kattayan	41	M		
Valliammah	33	F		
Periyamma	16	F		
Andy	13	M		
Welliamma	11	F		
Thanapackiam	8	F		
Angamuthu Arunasalam	47	M	All of Uda Radella Estate, Nanu Oya	do.
Sellaie	37	F		
Periamma	18	F		
Thathan	13	M		
Nagamma	10	F		
Letchimaie	8	F		
Thewarasan	4	M		
Letchuman Muthiah	40	M		
Periamma	31	F		
Patchamuthu	16	M		
Ramiah <i>alias</i> Ramar	13	M	All of Uda Radella Estate, Nanu Oya	do.
Perumaie <i>alias</i> Warathamma	11	F		
Letchumie	9	F		
Arumugam	7	M		
Paranthaman	3	M		
Raman Kitnan	59	M		
Theivanay	43	F		
Kanapathy <i>alias</i> Ramakrishnan	24	M		
Aiyamperumal <i>alias</i> Arumugam	16	M		
Selvam	10	F		
Sellamma <i>alias</i> Pappathy	7	F	All of Uda Radella Estate, Nanu Oya	do.
Vavuthupayal Karupamuthu	67	M		
Vellaiammah	52	F		
Ammasy <i>alias</i> Molaiyan	25	M		
Seerangaie	20	F		
Arumugam	15	M		
Nallamuthu Sinnamuthu	53	M		
Nallammah	51	F		
Palaniandy	19	M		
Sevanaie	16	F		
Mayandy Subramaniam	29	M	All of Uda Radella Estate, Nanu Oya	do.
Muniammah	28	F		
Thayammah	12	F		
Arapuly	8	M		
Mariaie	5	F		

I
Particulars of Person Registered as a Citizen of Ceylon

II.

Name	Age	Sex	Address			
Sellaperumal Sinnathal	50	F	All of Uda Radella Estate, Nanu Oya	October 12, 1959		
Sinnammah	18	F				
Muthaie alias Muthamma	15	F				
Palaniandy Arumugam	51	M				
Sinnammal	41	F				
Viyapury alias Wyawery	25	M				
Valliammal	17	F				
Munian Sinnappen	47	M				
Sellaie	40	F				
Mariaie alias Ramaie	24	F				
Kandasamy	17	M	All of Uda Radella Estate, Nanu Oya	do.		
Sinnammah alias Sinnapillai	14	F				
Mariappen alias Mari	11	M				
Muthuveeran Muthusamy	47	M				
Sinnamma	44	F				
Periannan	22	M				
Karivandan	19	M				
Uthandan	17	M				
Vellayammal	14	F				
Kumarathy	11	F				
Periasamy	8	M	All of Uda Radella Estate, Nanu Oya	do.		
Poopalan	3	M				
Anthony muthu Pitchamuthu	59	M				
Sandanapitchai	52	F				
Saveriamma	22	F				
Arokiam Sinnappen	42	M				
Mariammal	37	F				
Utheriam	11	F				
Sinniah Kandiah	33	M				
Kamala	27	F				
Maheswari	3	F	All of Clarendon Estate, Nanu Oya	do.		
Velan alias Veloo Sellaie	48	F				
Kandiah	24	M				
Sandanam	21	F				
Kathiraie alias Catherina, ww/o Soosay	59	F			Both of Royal Botanic Gardens, Hakgala	do.
Savarimuthu alias Sengal	25	M				
Sinnappen	42	M				
Sandanam Palaniveloo	15	M				
Sivan	29	M				
Daniel, s/o David	28	F				
Maria Pakkiam	4	F				
Mary Gloria	2	M				
David Benedict	27	M				
Kadirvel Sanmugavel	21	F				
Valliamma	1	M	All of Pitiakande Group, Mawatagama	do.		
Sandaralingam	62	M				
Thoppulan Arumugam	47	F				
Amirtham	16	F				
Kamatchie	13	F				
Rukmani	46	M				
Aloysius David	39	F				
Arul Pakiam	18	F				
Mary Matilda	16	M				
John Anthony Princely	15	M				
George Joseph Michel	13	F	All of Marigold Estate, Kandapola	do.		
Mary Christine Elizabeth	12	F				
Mary Rosary Anna	8	M				
Francis Stephen	5	M				
Vincent Patrick	4	M				
Lawrence Ignatius	36	M				
Kathirvel Veeriah	30	F				
Balamoney	36	M				
Palayam Abdulla, Lebbe Sadek	28	F				
Sadak Habeeb	3	M			All of 163, 2nd Cross Street, Colombo	June 6, 1959
Mohamed Iyabab	2	M				
Ahamed Rafeek	1	F				
Mohamed Azharabi	1	F October 13, 1959		

Miscellaneous Departmental Notices

G/HAPUGALA BUDDHIST MIXED SCHOOL

K/DUNKELD ESTATE A. T. M. SCHOOL

Change of Management.

Change of Management

UNDER the provisions of section 31 (5) of Ordinance No. 31 of 1939, it is hereby notified for general information that upon the recommendation of the proprietor of the above school, Mr. Don Cletus Kodagoda, Superintendent of Dunkeld Estate, Dikoya, is appointed manager of the said school with effect from 5th May, 1960, in place of Mr. D. K. Goonetilleke, the ex-Superintendent.

UNDER the provisions of Section 31 (5) of Ordinance, No. 31 of 1939, it is hereby notified for the information of the General Public that upon the recommendation of the proprietors of the above school, Mr. M. S. Jayasundera of "Shangrilla", Walawwa Watta, Upper Dixon Road, Galle, appointed Manager of the said school with effect from 28.4.1960, in place of Mr. Hayes Jayasundera who died on 27.4.60.

S. F. DE SILVA,
Director of Education.

S. F. DE SILVA,
Director of Education.

No. ASB 5660,
Education Department,
Malay Street,
Colombo 2, 8th July, 1960.

ASE/4169
Education Department,
Malay Street,
Colombo 2, 5th July, 1960.

K/VIDYALOKA VIDYALAYA (PIRIYENA) KETAWALA, LEWULA

My No. J 754.

NOTICE is hereby given that an application has been received from Rev. Ketawala Pannakiththi Thero, for the provisional registration of the above-named Pirivena, situated at Ketawala, Lewula, in the Kandy District of the Central Province.

Observations will be received not later than 30 days from the date of publication of this notice.

S. F. DE SILVA,
Director of Education.

No. ASW. 158
Education Department,
Malay Street,
Colombo 2, 7th July, 1960.

P/NAVADANKULAMA B. M. S.

NOTICE is hereby given that an application has been received from the General Manager, Mahabodhi Society Schools, 180, Maligakande Road, Colombo 10, for the provisional registration of the above school, situated at Navadankulama in the Kurunegala District of the North-Western Province as a grant-in-aid school.

Observations will be received not later than 30 days from the date of publication of this notice.

S. F. DE SILVA,
Director of Education.

ASJ 4759,
Education Department,
Malay Street,
Colombo 2, 11th July 1960.

K/KANDY MAHA VIHARA PIRIYENA

NOTICE is hereby given for the information of the General Public that the above Pirivena, situated at Asgiri Maha Vihara in the Kandy District of the Central Province and under the management of Ven. Halyale Sri Sumanatissa Thero has been provisionally registered as a grant-in-aid Pirivena with effect from January 5, 1959.

S. F. DE SILVA,
Director of Education.

ASW 384,
Education Department,
Malay Street,
Colombo 2, 7th July, 1960.

KL/RATANAYATANA B. M. S.

NOTICE is hereby given for the information of the General Public that the above school, situated at Pokunuwita, in the Kalutara District of the Western Province, and under the management of the Buddhist Academy of Ceylon, Mattegoda, Polgasowita, has been provisionally registered as a grant-in-aid school with effect from 23.7.1959.

S. F. DE SILVA,
Director of Education.

No. ASM. 5678/ASD
No. ASY. 1100
Education Department,
Malay Street,
Colombo 2, 11th July, 1960.

A/KOKEBE SRI ROHINI B. M. S.

NOTICE is hereby given for the information of the general public that the above school, situated at Kokebe in the Anuradhapura District of the North-Central Province and under the management of the General Manager, Buddhist Academy of Ceylon, Mattegoda, Polgasowita, has been provisionally registered as a grant-in-aid school with effect from 1.11.1958.

S. F. DE SILVA,
Director of Education.

ASJ 4744,
Education Department,
Malay Street,
Colombo 2, 11th July, 1960.

K/KANDY MUSLIM LADIES COLLEGE—REGISTRATION

NOTICE is hereby given that an application has been received from the Manager, Kandy Muslim Educational Society, 8, Mosque Road, Kandy, for the provisional registration of the above school, situated at 81, Mosque Road, Kandy, in the Kandy District of the Central Province; as a grant-in-aid school.

2. Observations will be received not later than 30 days from the date of publication of this notice.

S. F. DE SILVA,
Director of Education.

ASB/5343
Education Department,
Malay Street,
Colombo 2, 15th July, 1960.

COMPANIES ORDINANCE, No. 51 OF 1938**Notice under Section 277 (4) to Strike Off Victor and Company Limited (In Voluntary Liquidation)**

WHEREAS there is reasonable cause to believe that no Liquidator is acting in Victor and Company Limited (In Liquidation), a company incorporated 23.10.1934, under the provisions of the Companies Ordinance, No. 51 of 1938.

Now know ye that I, Walter Mahesa Sellayah, Registrar of Companies, acting under the provisions of section 277 (4) of the Companies Ordinance, No. 51 of 1938, hereby give notice that at the expiration of three months from the date hereof, the name of Victor and Company Limited (In Liquidation) will unless cause is shown to the contrary, be struck off the Register of Companies and the Company will be dissolved.

W. M. SELLAYAH,
Registrar of Companies.

Department of the Registrar of Companies,
Echelon Square,
Colombo, 9th July, 1960.

COMPANIES ORDINANCE, No. 51 OF 1938**Notice under Section 277 (3) to Strike Off E. M. J. Noorbhai Limited**

WHEREAS there is reasonable cause to believe that E. M. J. Noorbhai Limited, a company incorporated on 2nd May, 1952, under the provisions of the Companies Ordinance, No. 51 of 1938, is not carrying on business or in operation:

Now know ye that I, Walter Mahesa Sellayah, Registrar of Companies, acting under section 277 (3) of the Companies Ordinance, No. 51 of 1938, do hereby give notice that at the expiration of three months from this date the name of E. M. J. Noorbhai Limited, will, unless cause is shown to the contrary, be struck off the Register of Companies kept in this office and the company will be dissolved.

W. M. SELLAYAH,
Registrar of Companies.

Department of the Registrar of Companies,
Colombo 1, 5th July, 1960.

COMPANIES ORDINANCE, No. 51 OF 1938**Notice under Section 277 (5) to Strike Off Sri Lanka Films Limited**

WHEREAS there is reasonable cause to believe that Sri Lanka Films Limited, a company incorporated on 23.8.1955, under the provisions of the Companies Ordinance, No. 51 of 1938, is not carrying on business or in operation:

And whereas notice dated 1.4.1960 was published in the *Ceylon Government Gazette* No. 12,102 of 8.4.1960 that the name of Sri Lanka Films Limited, would at the expiration of three months from that date, be struck off the register unless cause was shown to the contrary:

And whereas Sri Lanka Films Limited has not shown cause to the contrary within the period of three months aforesaid:

Now therefore I, Walter Mahesa Sellayah, Registrar of Companies, acting under section 277 (5) of the Companies Ordinance, No. 51 of 1938, do by this notice declare that Sri Lanka Films Limited, was this day struck off the Register of Companies and the said Company is dissolved.

W. M. SELLAYAH,
Registrar of Companies.

Department of the Registrar of Companies,
Colombo 1, July 9, 1960.

IN THE MATTER OF PREMIER FINANCIERS LIMITED AND IN THE MATTER OF THE COMPANIES ORDINANCE, No. 51 OF 1938**Members' Voluntary Winding-up**

WHEREAS the return of final winding-up meeting along with a copy of the Liquidator's Account of Premier Financiers Limited, in liquidation, has been received and registered on 12th July, 1960.

Take notice that at the expiration of three months from the said date Premier Financiers Limited shall be deemed to be dissolved under the provisions of section 227 (4) of the Companies Ordinance, No. 51 of 1938.

W. M. SELLAYAH,
Registrar of Companies.

Department of the Registrar of Companies,
P. O. Box 1502, Echelon Square,
Colombo 1, 13th July, 1960.

Pv. S. 1626.

IN THE MATTER OF THE ARUGGODA TRADES AND FINANCE COMPANY LIMITED AND THE MATTER OF THE COMPANIES ORDINANCE, No. 51 OF 1938

Members' Voluntary Winding-up

WHEREAS the return of the final winding-up meeting along with a copy of the Liquidator's account of Aruggoda Trades and Finance Company, Limited has been received and registered on 12.7.60.

Take notice that at the expiration of three months from the said date Aruggoda Trades and Finance Company, Limited, shall be deemed to be dissolved under the provisions of section 227 (4) of the Companies Ordinance, No. 51 of 1938.

W. M. SELLAYAH,
Registrar of Companies,

Office of the Registrar of Companies,
Echelon Square, Colombo 1,
13th July, 1960.

No. LEY/20.

DEPARTMENT OF NATIONAL HOUSING

Authorisation of sale of Mortgaged Land under Section 62F of National Housing (Amendment) Act, No. 30 of 1955

I, Reginald Lawrence Arnolda, the Commissioner for National Housing, appointed under section 8 (1) of the National Housing Act, No. 37 of 1954, acting for and on behalf of the Government of Ceylon, make order and authorise Mr. B. H. EDWIN, CITY AUCTION ROOMS, BADULLA, to sell by Public Auction the land described in Schedule hereto for the recovery of the sum of Rs. 14,165.13 due from Lokuketagodage Alfred Victor Perera of Vickrick and Company, Welimada, on Mortgage Bond No. 2148 dated the 3rd September, 1957, attested by V. Ponnusamy, Notary Public, Nuwara Eliya, in respect of which default has been made, with further interest on Rs. 14,000 at the rate of three and a half per cent. per annum from the 31st January, 1960, up to the date of the sale or till payment in full together with all penalties accruing under the terms of the said mortgage from 31st January, 1960, till date of sale and the expenses and costs incurred by me for such recovery.

SCHEDULE

All that defined and distinct portion of land called and known as *Galgewatte* depicted as Lots Nos. 4, 5, 6, 7, 8, 9, 10 and 11 in Plan of Survey No. 1,239 dated 25th April, 1954, made by W. B. W. Welgolle of Kalugapitiya, Badulla, Licensed Surveyor, situated at Kotawera-Pallegama in Dehiwinipalata Korale, Udukinda Division, Badulla District, Uva Province, bounded on the North by Mala Agala, East by Uma Oya, South by Palliyawatte Mosque, Lot 12 of the same land and Crown Path and West by Minor Road containing in extent one acre one rood and thirty seven perches (1A.1R.37P.) exclusive of the Crown Path running through the said Lot No. 10 together with everything now standing thereon and the buildings that are to be hereafter erected under the agreement in these presents contained and which said defined and distinct portion of land forms part of the two contiguous portions of land, viz:—

(a) All that defined portion out of the land called *Galgewatte* with the plantations and everything thereon shown as lot 2 in Plan of Survey No. 1361A dated 7th October, 1950, made by M. W. Crofton, Licensed Surveyor, and situated at Kotawera Pallegama aforesaid; bounded on the North by ditch, East by Uma Oya, South by lot 2A in the said Plan, West by Gansabhawa Road; and containing in extent three roods and fifteen perches (0A. 3R. 15P.) but correctly three roods fifteen and a half perches (0A. 3R. 15 1/2P.) and registered in the Badulla Land Registry under C271/243; and

(b) All that defined portion out of the land called *Galgewatte* with the buildings and plantations standing thereon, situated at Kotawera Pallegama aforesaid and shown as lot 2A in the said plan of survey No. 1361A and bounded on the North by Lot 2 in the said Plan of Survey, East by Uma Oya, South by Palliyawatte and Crown Land leased, West by Gansabhawa Road and containing in extent three roods and fifteen perches (0A. 3R. 15P.) but correctly three roods and fifteen and a half perches (0A. 3R. 15 1/2P.) and registered in the Badulla Land Registry under C271/245.

R. L. ARNOLDA,
Commissioner for National Housing,
Colombo 2, July 15, 1960.

RESOLUTION UNDER SECTION 70 OF THE AGRICULTURAL AND INDUSTRIAL CREDIT CORPORATION ORDINANCE, No. 19 OF 1943

IT is hereby notified that the following resolution was unanimously passed by the Board of Directors of the Corporation on May 13, 1960:—

"WHEREAS Nanda Sirimathie Wattedegedera Poholiyadde of the Agricultural Station, Polonnaruwa, in the District of Polonnaruwa, has made default in the payments due on bond No. 618 dated October 26, 1953, attested by P. Dassanayake, Notary Public of Kurunegala; in favour of the Agricultural and Industrial Credit Corporation of Ceylon and there is now due and owing to the said Corporation a sum of rupees one thousand eight hundred and ninety-eight and cents thirty eight (Rs. 1,898.38) on the said bond; the Board of Directors of the Agricultural and Industrial Credit Corporation of Ceylon under the powers vested in them by the Agricultural and Industrial Credit Corporation Ordinance, No. 19 of 1943, do hereby resolve that the property and premises mortgaged to the said Corporation by the said bond No. 618 dated October 26, 1953, attested by P. Dassanayake, N. P., be sold by public auction by T. B. Amunugama, Licensed Auctioneer of Kurunegala, for the recovery of the said sum of Rs. 1,898.38 with further interest on the principal sum of Rs. 1,666.60 at 6 1/2 per centum per annum from May 14, 1960, to date of sale and costs of sale."

Description of Property Mortgaged

ALL that allotment of land called Narangodapitiyepillewa situated at Wattedegedera in the Katugampola Hatpattu in Meda Pattu Korale in the District of Kurunegala, N. W. P., and containing in extent three acres and twenty six perches (3A. 0R. 26P.) according to Title Plan No. 281749.

H. S. F. GOONEWARDENA,
General Manager.

Colombo, July 16, 1960.

NOTICE

Sale of lands under the provisions of the Agricultural and Industrial Credit Corporation Ordinance, No. 19 of 1943

IT is hereby notified that the lands called Karukkuliyekele *alias* Mahawelakele, Lot B of Mahawelakele, land called Wetiypahaladeniya and the allotment of land called Kohombagahalangahena (Lot 2) referred to under items 2 to 5 in the Schedule to the Sale Notice published at pages 1304 and 1305 of the *Government Gazette*, No. 12,158 of July 15, 1960—Part I, Section (I)—General—will be sold at 11 a.m.

H. S. F. GOONEWARDENA,
General Manager.

Agricultural & Industrial Credit
Corporation of Ceylon,
Colombo, July 16, 1960.

RABIES

NOTICE is hereby given that, as danger of rabies exists in the Revenue District of Badulla, the said area, other than the Urban Council areas of Badulla, Bandarawela and Haputale, and the Town Council areas of Welimada and Passara, is hereby proclaimed under Section 11 of the Rabies Ordinance, Chapter 383, for a period of six months from July 13, 1960.

2. Any dog found in any public place or road or any place other than a private building, compound or garden, within the area proclaimed above, and not being tied up or led, is liable to be destroyed forthwith.

Government Agent.

The Kachcheri,
Badulla, July 13, 1960.

INTERRUPTION TO TRAFFIC

North-Central Division—Trincomalee District

PUTTALAM—TRINCOMALEE ROAD

IT is hereby notified that Bridge No. 95/11 on the above road has been damaged and will be closed for all vehicular traffic for two weeks from today. Alternative route for the section of this road from 91st mile to 96th mile will be via Nochchikulam, Peniketiyawa, Keregahawewa Road and Gomarankadawela.

T. GUNARATNAM,
 for Director of Public Works.

Public Works Office,
 Colombo, 12th July, 1960.

CEYLON GOVERNMENT RAILWAY**Level Crossing Repairs**

THE level crossing at 170 miles 26 chains on the B. T. L. R. between Tampalakamam and China Bay Railway Stations on the main Kandy Road, near 100½ mile will be closed to vehicular traffic from 6 p.m. on Saturday, 23rd July to 6 a.m. on Sunday, 24th July, for effecting repairs.

Provision has been made for alternative passage of vehicular traffic during the above period.

CEYLON GOVERNMENT RAILWAY**Level Crossing Repairs**

THE Railway level crossing at 3 miles 09 chains 30 links on the Kelani Valley Line between Cotta Road and Narahenpita on the Mangala Road, Manning Town, will be partially closed for vehicular traffic from 5 p.m. to 10 p.m. on Saturday, 23.7.60 and totally from 10 p.m. to 6 a.m. on Sunday, 24.7.60 for effecting repairs.

During this period traffic will be assisted over by the Foreman Platelayer in charge of the work as there is no possible diversion by any other road.

CEYLON GOVERNMENT RAILWAY**Level Crossing Repairs**

THE old level crossing at 56 miles 56 chains on the proposed railway line between Bangadeniya and Battuluoya (at 54 miles 65.38 chain Colombo-Puttalam P. W. D. Road) will be closed to vehicular traffic from 6 p.m. on Saturday, August 6th to 6 p.m. on Sunday, August 7th, 1960, for renewal of same.

During this period vehicular traffic will be diverted over the temporary level crossing at the spot.