

ලංකා රජයේ ගැසට් පත්‍රය

THE CEYLON GOVERNMENT GAZETTE

අංක 13,554 — 1963 මාර්තු 8 වැනි සිකුරාදා — 1963.3.8

No. 13,554 — FRIDAY, MARCH 8, 1963

(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)

| | PAGE | | PAGE |
|--|------|---|------|
| Proclamations by the Governor-General .. | — | Price Orders .. | — |
| Appointments, &c., by the Governor-General .. | 451 | Central Bank of Ceylon Notices .. | — |
| Appointments, &c., by the Public Service Commission .. | — | Accounts of the Government of Ceylon .. | — |
| Appointments, &c., by the Judicial Service Commission .. | 452 | Revenue and Expenditure Returns .. | — |
| Other Appointments, &c. .. | 453 | Miscellaneous Departmental Notices .. | 466 |
| Appointments, &c., of Registrars .. | — | Notice to Mariners .. | — |
| Government Notifications .. | 454 | "Excise Ordinance" Notices .. | — |

Appointments, &c., by the Governor-General

No. 84 of 1963

No. D201/Rect.

ARMY—REGULAR FORCE—APPOINTMENTS AND RELINQUISHMENTS OF APPOINTMENTS APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL

Appointments

- (1) Colonel ALEXANDER RICHARD UDUGAMA, M.B.E., to be Chief of Staff, Army Headquarters, with effect from December 1, 1962.
- (2) Colonel DON SEPALA ATTYGALLE, M.V.O., to Command Army Force, Panagoda, with effect from December 1, 1962, in addition to his appointment as Commanding Officer, 1 Recce Regiment, Ceylon Armoured Corps.

Relinquishments of Appointments

- (1) Colonel BERTRAM RUSSELL HEYN relinquished the appointment of Chief of Staff, Army Headquarters, with effect from December 1, 1962.
- (2) Colonel ALEXANDER RICHARD UDUGAMA, M.B.E., relinquished the Command of Army Force, Panagoda, with effect from December 1, 1962.

By His Excellency's command,

N. Q. DIAS,
Permanent Secretary,
Ministry of Defence and External Affairs.

Colombo, February 23, 1963.
3—353

No. 85 of 1963

No. D17/Rect.

ARMY—REGULAR FORCE—APPOINTMENTS AND RELINQUISHMENTS OF APPOINTMENTS APPROVED BY HIS EXCELLENCY THE GOVERNOR-GENERAL

Appointments

To be Recruiting Officers under section 13 (1) of the Army Act (Cap. 357) with effect from February 1, 1963—

Captain SAHARDEEN MUSAFER, C.A.S.C.

Captain ERIC EDWARD PATEMANATHAN JOSEPH, C. Inf (R).

Relinquishment of Appointment

The undermentioned officer relinquished his appointment as Recruiting Officer under section 13 (1) of the Army Act (Cap. 357) with effect from January 1, 1963.

Captain CARLISLE FITZROY WILLIAM PERERA, C.A.S.C.

By His Excellency's command,

N. Q. DIAS,
Permanent Secretary,
Ministry of Defence and External Affairs.

Colombo, February 25, 1963.

3—354

No. 86 of 1963

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 undermentioned Warrant Officers as Lieutenants (Quartermasters) in the Regular Force of the Army with effect from March 8, 1963, and their postings to the Corps/Regiments stated against their names with effect from the same date.

S/84056 Warrant Officer I EARDLEY RIENZIE LAWRENCE DIAS—Ceylon Army Medical Corps.

S/62004 Warrant Officer I BOROU PAGES DON ARTHUR PERERA—Ceylon Engineers.

S/20079 Warrant Officer I ANTHONY JUSTIN GUNASEKERA—Ceylon Infantry (Regulars).

S/65003 Warrant Officer I GRANVILLE JAMES DE SILVA—Ceylon Electrical and Mechanical Engineers.

S/81023 Warrant Officer I DON ANDREW JAYAMANNE—Ceylon Army Service Corps.

S/96002 Warrant Officer I ABEYAPALA JAYANETTI—Ceylon Armoured Corps.

S/20283 Warrant Officer I TUAN FALHEL BABANOOR MORSETH—Ceylon Infantry (Regulars).

S/20253 Warrant Officer I HEETHARE SENISON DE ZOYSA—Ceylon Infantry (Regulars).

S/81013 Warrant Officer II PEIRIS ABEYAWARDANA PATHIRATNA—Ceylon Army Service Corps.

S/52020 Warrant Officer II WJESINGHE ARATCHIGE PIYASENA PERERA—Ceylon Artillery.

S/87066 Temporary Warrant Officer II DON GUNAPALA BADDEVITHANA—Ceylon Army Ordnance Corps.

By His Excellency's command,

N. Q. DIAS,
Permanent Secretary,
Ministry of Defence and External Affairs.

Colombo, February 22, 1963.

3—363

Appointments, &c., by the Judicial Service Commission

No. 87 of 1963

SUMMARY OF APPOINTMENTS MADE BY THE JUDICIAL SERVICE COMMISSION

| <i>Name of Officer</i> | <i>New Appointment</i> | <i>Effective Date of New Appointment</i> | <i>Remarks</i> |
|-----------------------------|---|---|---|
| Mr. V. M. CUMARASWAMY | Additional Magistrate etc., Negombo | From 20th February, 1963, till orders are delivered in M. C. Negombo Cases 4563 and 1500 | In addition to his other duties |
| Mr. C. E. MENDIS | Additional Magistrate etc., Kurunegala, at Kanadulla | From 21st February, 1963, till orders are delivered in M. C. Kuliypitiya cases 13706, 15170, 15667 and to hear till completion M. C. Kuliypitiya Cases 10455 and 14857 | In addition to his other duties |
| Mr. W. DE SILVA | Additional District Judge etc., Kalutara | 3rd March, 1963 | During absence of Messrs N. M. J. RAJENDRAM, C. B. WALGAMPAYA and M. HUSSEIN |
| Mr. C. L. DE SILVA | Additional Magistrate etc., Balapitiya | 23rd February, 1963 | During absence of Mr. D. E. DHARMASEKERE |
| Mr. F. V. H. LA BROOY | Additional District Judge etc., Nuwara Eliya | 23rd to 27th February, 1963 | During absence of Mr. L. H. DE ALWIS |
| Mr. S. SELLADURAI | Additional District Judge etc., Nuwara Eliya | 2nd to 4th March, 1963 | During absence of Mr. L. H. DE ALWIS |
| Mr. P. N. BARTHOLOMEUSZ | Additional District Judge etc., Nuwara Eliya | 1st to 5th March, 1963 | During absence of Mr. B. E. DE SILVA |
| Mr. V. S. DE SILVA | Additional Magistrate etc., Kurunegala, at Kandulla | 23rd to 27th February, 1963 | During absence of Mr. A. M. AMEEN |
| Mr. A. G. H. SANDARATNE | Additional Magistrate etc., Kurunegala, at Kanadulla | 28th February to 4th March, 1963 | During absence of Mr. A. M. AMEEN |
| Mr. A. C. KANAGASINGHAM | Additional District Judge etc., Trincomalee | 2nd to 8th March, 1963 | During absence of Mr. S. AMARASINGHE |
| Mr. T. P. C. CARRON | Additional Magistrate etc., Negombo | 25th to 27th February, 1963 | During absence of Mr. M. P. C. RATNAM |
| Mr. C. H. UDALAGAMA | Additional Magistrate etc., Kegalla | 28th February to 2nd March, 1963 | During absence of Mr. T. J. RAJARATNAM |
| Mr. S. P. WIJAYATILAKE | Additional District Judge, Kandy, at Matale etc., | 2nd to 5th March, 1963 | During absence of Mr. A. O. S. DISSANAYAKE |
| Mr. C. H. UDALAGAMA | Additional District Judge etc., Kegalla | 3rd March, 1963 | During absence of Messrs. P. MARAPONE and T. J. RAJARATNAM |
| Mr. P. G. DE SILVA | Additional District Judge etc., Avisawella | 3rd March, 1963 | During absence of Messrs. A. E. R. COREA and J. G. L. SWARIS |
| Mr. A. M. M. THAHIR | Additional Magistrate etc., Galle | 3rd March, 1963 | During absence of Messrs. M. M. I. KARIAPPER, J. F. A. SOZA, B. S. C. RATWATTE, D. S. NETHSINGHE and C. E. MENDIS |
| Mr. T. ASIRWATHAM | Additional Magistrate etc., Ratnapura | 3rd March, 1963 | During absence of Messrs S. S. KULATILAKE and B. SENARATNE |
| Mr. H. BEDE PERERA | Additional Magistrate etc., Kurunegala | 2nd to 4th March, 1963 | During absence of Messrs W. E. ABAYAKOON, V. K. KANDASAMY and E. F. DE ZILVA |
| Mr. J. W. WICKREMASINGHE | Additional Magistrate etc., Matara | 2nd March, 1963 | During absence of Mr. T. D. G. DE ALWIS |
| Mr. F. S. PAUL | Additional Magistrate etc., Mannar | 28th February to 2nd March, 1963 | During absence of Mr. K. SINNATHAMBY |
| Mr. D. P. B. MAHADIULWEWA | Acting President, Rural Court, Tamankaduwa Palata etc. | 25th February, 1963 | During absence of Mr. C. B. HUNUCUMBURE |
| Mr. M. A. E. B. PERERA | Acting President, Rural Court, Weudawili Hatpattu etc. | 25th February, 1963 | During absence of Mr. T. L. J. HADGIE |
| Mr. D. C. WIJESINGHE | Acting President, Rural Court, Dehigampal Korale etc. | 21st to 23rd and 25th February, 1963 | During absence of Mr. A. B. ALUWIHARE |
| Mr. N. S. SIVAPRAGASAM | Acting President, Rural Court, Akaraipattu etc. | 27th February to 1st March, 1963 | During absence of Mr. K. SANMUGANATHAN |
| Mr. A. J. SAHEED | Additional President, Rural Court, Pasdun Korale etc. | 27th March, 1963, to hear R. C. Paityagala CRM. Case 353 | |
| Mr. H. W. J. MUTTUCUMARU | Acting President, Rural Court, Puttalam Pattu etc., | 27th and 28th February, 1963 | During absence of Mr. D. DE SILVA |
| Mr. A. W. A. EMMANUEL | Acting President, Rural Court, Dewameddi Hatpattu etc. | 1st, 11th, 18th, 25th, and 29th March, 1963 | During absence of Mr. M. M. PERERA on other duties |
| Mr. S. A. C. M. MEERA SAIBO | Acting President, Rural Court, Karavaku Pattu etc. | 2nd March, 1963 | |
| Mr. N. S. SIVAPRAGASAM | Acting President, Rural Court, Karavaku Pattu etc. | 4th to 9th, 11th to 16th, 18th, 19th, 21st, 22nd, and 25th to 30th March, 1963 | Or until further orders |

| Name of Officer | New Appointment | Effective Date of New Appointment | Remarks |
|------------------------|---|--|---------|
| Mr. M. A. E. B. PERERA | Additional President, Rural Court, Dambadeni Hatpattu, etc. | 7th March, 1963, to hear R. C. Polgahawela CRM Case 2597 | — |

N. A. DE. S. WIJESEKERA,
Secretary,
Judicial Service Commission.

Office of the Judicial Service Commission,
P. O. Box 573,
Colombo, 28th February, 1963.

3-351

Other Appointments, &c.

No. 88 of 1963

APPOINTMENTS BY THE HONOURABLE THE MINISTER OF JUSTICE

Inquirers under Section 120 of the Criminal Procedure Code (Cap. 20)

(1) Mr. A. M. A. ABEYKOON, to act as Inquirer for Kohoka Korale, Nuwara Eliya District, with effect from 25th February, 1963, until a permanent appointment is made.

No. AI. 5/1/63.

(2) Mr. W. GUNARATNE, to act as Inquirer for Katuwana and Kirama Paranagam Palata, Hambantota District, with effect from 25th February, 1963, until a permanent appointment is made.

No. AI. 6/4/62.

(3) Mr. C. THAMBAH, to act as Inquirer for Mulliyawalai, Vavuniya District, with effect from 15th February, 1963, until a permanent appointment is made.

No. AI. 10/2/63.

(4) Mr. A. B. W. R. M. WEERAKOON, to be an Inquirer for Divisional Revenue Officer's Division, Haputala, Badulla District, with effect from 25th February, 1963, while holding the post of D. R. O. Haputala.

No. AI. 17/1/63.

(5) Mr. W. V. M. UKKUBANDA, to act as Inquirer for Bintenna Division, Badulla District, with effect from 14th February, 1963, until a permanent appointment is made.

No. AI. 17/2/51.

(6) Mr. P. A. MEGGAHANA, to be an Inquirer for Thunpalatha Pattu, Kegalle District, with effect from 19.2.63.

No. AI. 19/1/62.

(7) Mr. H. B. KULATUNGA, to act as Inquirer for Kulugamana Siyapattu, Kandy District, with effect from 7th February, 1963, until the resumption of duties by Mr. M. B. NUGGODA.

No. INQL. 3/2/58.

(8) Mr. N. SELVADURAI, to act as Inquirer for Analaitivu-Eluwativu, Jaffna District, with effect from 18th February, 1963, until the resumption of duties by Mr. K. VAITHILINGAM.

No. INQL. 9/1/57.

(9) Mr. A. NAMASIVAYAGAM, to act as Inquirer for Karainagar in Jaffna District, with effect from 12th February, 1963, until the resumption of duties by Mr. V. KANDASAMY.

No. INQL. 9/1/63.

(10) Mr. E. B. FELDANO, to act as Inquirer for Pesalai, Mannar District, with effect from 21st February, 1963, until the resumption of duties by Mr. J. V. FELDANO.

No. INQL. 11/1/57.

(11) Mr. A. PARANANTHU, to act as Inquirer for Mantai North, Mannar District, with effect from 20th February, 1963, until the resumption of duties by Mr. S. S. RAJADURAI.

No. INQL. 11/1/60.

(12) Mr. H. H. S. SILVA, to act as Inquirer for Udupalatha Korale, Badulla District, with effect from 6th February, 1963, until the resumption of duties by Mr. P. B. WEERASEKERA.

No. INQL. 18/1/63.

(13) Mr. M. C. KARIAPPER, to act as Inquirer for Sammanthurai, Amparai District, with effect from 9th February, 1963, until the resumption of duties by Mr. U. M. SULAIMANLEBBE.

No. INQL. 21/1/63.

D. J. R. GUNAWARDENA,
Permanent Secretary to the Ministry of Justice.

Ministry of Justice,
Colombo, March 4, 1963.

3-392

A 2

No. 89 of 1963

APPOINTMENTS BY THE HONOURABLE THE MINISTER OF JUSTICE

(1) Mr. E. SITTAMPARAMPILLAI, Commissioner for Oath, to be a Justice of the Peace for the judicial district of Batticaloa.

(2) Mr. T. A. RANATUNGA, to be a Justice of the Peace for the judicial district of Kandy.

(3) Mr. ANANDA JAYASINGHE, to be a Justice of the Peace for the judicial district of Negombo.

Justices of the Peace (Ex-Officio)

(4) Mr. S. SAMARASINGHE, to be, while holding the post of Registrar of Lands and Additional District Registrar, Kalutara, a Justice of the Peace for the judicial district of Kalutara.

(5) Mr. S. L. H. PERERA, to be, while holding the post of Registrar of Lands and Additional District Registrar, Kurunegala, a Justice of the Peace for the judicial district of Kurunegala.

(6) Mr. T. M. T. I. TENNAKOON, to be, while holding the post of Registrar of Lands and Additional District Registrar, Matale, a Justice of the Peace for the judicial district of Kandy.

(7) Mr. R. A. R. RANATUNGA, to be, while holding the post of Registrar of Lands and Additional District Registrar, Kegalle, a Justice of the Peace for the judicial district of Kegalle.

(8) Mr. H. D. K. WEERAMAN, to be, while holding the post of Registrar of Lands and Additional District Registrar, Galle, a Justice of the Peace for the judicial district of Galle.

(9) Mr. T. SINNADURAI, to be, while holding the post of Registrar of Lands and Additional District Registrar, Trincomalee, a Justice of the Peace for the judicial district of Trincomalee.

(10) Mr. K. D. S. GUNAWARDENA, to be, while holding the post of Registrar of Lands and Additional District Registrar, Chilaw, a Justice of the Peace for the judicial district of Chilaw.

(11) Mr. G. A. P. PERERA, to be, while holding the post of Registrar of Lands and Additional District Registrar, Negombo, a Justice of the Peace for the judicial district of Negombo.

D. J. R. GUNAWARDENA,
Permanent Secretary to the Ministry of Justice.

Ministry of Justice,
Colombo, 4th March, 1963.

3-417

No. 90 of 1963

THE following appointments in the Ceylon Civil Service will be effected on the dates notified below:—

No. 73/1/16 (MF).

Mr. S. SIVANANTHAN, to act as Office Assistant to the Government Agent in authority over the Administrative District of Ratnapura, with effect from 1st February, 1963; until further orders.

No. 74/2/79 (MF).

Mr. O. DISSANAYAKE, to act as Office Assistant to the Government Agent in authority over the Administrative District of Matale, with effect from 11th February, 1963.

No. 74/2/99 (MF).

Mr. R. PASKARALINGAM, to act as Assistant Government Agent for the Administrative District of Kalutara, to function under the direction of the Government Agent in authority over the said District, with effect from 1st January, 1963.

No. 74/2/107 (MF).

Mr. D. M. WITTACHI, to act as Office Assistant to the Government Agent in authority over the Administrative District of Kegalle, with effect from 11th February, 1963, until further orders.

No. 74/210 (MF).

Mr. C. J. SERASINGHE, to be attached to the Ministry of Industries, Home and Cultural Affairs, with effect from 11th February, 1963, until further orders.

Mr. M. S. PERERA, to be attached to the Food Commissioner's Department, with effect from 20th February, 1963, until further orders.

H. S. AMERASINGHE,
Secretary to the Treasury.

Ministry of Finance,
Colombo, March 2, 1963.

3-416

No. 91 of 1963

THE Honourable the Minister of Industries, Home and Cultural Affairs has appointed Mr. SRIYANTHA GILBERT SENARATNA to be a Notary Public throughout the judicial division of Colombo and to practise as such in the English language.

3-332

No. 92 of 1963

THE Honourable the Minister of Industries, Home and Cultural Affairs has appointed Mr. MIHINDUKULASURIYA NEVILLE GERARD AELIAN PERERA to be a Notary Public throughout the judicial division of Chilaw and to practise as such in the English language.

3-231

No. 93 of 1963

THE Honourable the Minister of Industries, Home and Cultural Affairs has appointed Mr. GAMMANPILA APPUHAMILLAGA DON ABRAHAM ABAYARATNA to be a Notary Public throughout the judicial division of Chilaw with residence and office at Nattandiya and to practise as such in the Sinhalese language.

3-235

Government Notifications

No. 4/1/16 (MF/GC).

THE Hon. the Minister of Finance has been pleased to appoint under section 74 (2) of the Income Tax Ordinance Mr. P. C. Gunawardena, Assessor, Estate Duty, to be, in addition to his own duties, Clerk to the Board of Review, Inland Revenue, in place of Mr. S. Selvajayam with effect from March 1, 1963.

H. PANDITA GUNewardENE,
for Permanent Secretary
to the Ministry of Finance.

Ministry of Finance,
Colombo 1, March 1, 1963.

3-360

No. 4/1/9/GC.

APPOINTMENT TO THE BOARD OF REVIEW— INLAND REVENUE

THE Hon. Minister of Finance has been pleased to appoint Mr. S. Pathmanathan, under section 74 (1) of the Income Tax Ordinance (Chapter 242) to be a member of the Board of Review for a period of three years from October 14, 1962.

H. PANDITA GUNewardENE,
for Permanent Secretary
to the Ministry of Finance.

Ministry of Finance,
Colombo, March 1, 1963.

3-370

Mr. Gajasinghe Arachchige Germain Alfred de Silva, a notary practising in the English language within the judicial division of Negombo, has been authorised by the Honourable the Minister of Industries, Home and Cultural Affairs, to practise as a notary in the Sinhalese language also within the said judicial division.

3-233

Mr. Leslie Mervyn Jayaratna, a notary practising in the English language within the judicial division of Matara, has been authorised by the Honourable the Minister of Industries, Home and Cultural Affairs, to practise as a notary in the Sinhalese language also within the said judicial division.

3-228

Mr. Gangulwitiye Wanasundara Mudiyansele Palita Wanasundara, a notary practising in the English language within the judicial division of Ratnapura, has been authorised by the Honourable the Minister of Industries, Home and Cultural Affairs, to practise as a notary in the Sinhalese language also within the said judicial division.

3-229

Miss Batuwita Ganithage Rukmani Maheswari Fernando, a notary practising in the English language within the judicial division of Colombo, has been authorised by the Honourable the Minister of Industries, Home and Cultural Affairs, to practise as a notary in the Sinhalese language also within the said judicial division.

3-230

L. D.—B. 7/58.

THE PADDY LANDS ACT, No. 1 OF 1958

Order under Section 2 (1)

BY virtue of the powers vested in me by sub-section (1) of section 2 of the Paddy Lands Act, No. 1 of 1958, as amended by Act No. 30 of 1958, and Act No. 61 of 1961, I, Charles Percival de Silva, Minister of Agriculture, Land, Irrigation and Power, do by this Order appoint—(a) the ninth day of March, 1963, as the date on which the provisions of section 53 of the first-mentioned Act shall come into operation in the Administrative District of Batticaloa, and (b) the first day of April, 1963, as the date on which the provisions of the aforesaid section 53 shall come into operation in the Administrative Districts of Anuradhapura and Matale.

C. P. DE SILVA,
Minister of Agriculture, Land,
Irrigation and Power.

Colombo, March 2, 1963.

3-395

THE IRRIGATION ORDINANCE (CAP. 453)

IT is hereby notified that the Minister of Agriculture, Land, Irrigation and Power has, by virtue of the powers vested in him by section 61 (1) of the Irrigation Ordinance (Cap. 453), confirmed the scheme relating to the Wannigamaya Irrigation Work in the Matale District of the Central Province, prepared under Part V of the same Ordinance and approved at a meeting duly held on the 17th day of October, 1961, by the prescribed majority of the proprietors under the irrigable area of that irrigation work.

H. E. TENNEKONE,
Permanent Secretary,
Ministry of Agriculture, Land,
Irrigation and Power.

Colombo, February 25, 1963.

3-246/1

THE IRRIGATION ORDINANCE (CAP. 453)

IT is hereby notified that the Minister of Agriculture, Land, Irrigation and Power has, by virtue of the powers vested in him by section 61 (1) of the Irrigation Ordinance (Cap. 453), confirmed the scheme relating to the Thalagama Irrigation Work in the Kalutara District of the Western Province, prepared under Part V of the same Ordinance and approved at a meeting duly held on the 24th day of March, 1961, by the prescribed majority of the proprietors under the irrigable area of that irrigation work.

H. E. TENNEKONE,
Permanent Secretary,
Ministry of Agriculture, Land,
Irrigation and Power.

Colombo, February 25, 1963.

3-246/2

THE IRRIGATION ORDINANCE (CAP. 453)

IT is hereby notified that the Minister of Agriculture, Land, Irrigation and Power has, by virtue of the powers vested in him by section 61 (1) of the Irrigation Ordinance (Cap. 453), confirmed the scheme relating to the Alakolaketiyawela Tenna Irrigation Work in the Matale District of the Central Province, prepared under Part V of the same Ordinance and approved at a meeting duly held on the 31st day of May, 1962, by the prescribed majority of the proprietors under the irrigable area of that irrigation work.

H. E. TENNEKONE,
Permanent Secretary,
Ministry of Agriculture, Land,
Irrigation and Power.

Colombo, February 25, 1963.

3-247

C/I. 328.

No. W. 105/1184.

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

Order under Section 4 (1)

E. A. Wijesooriya, Esq.,
"Shayamali",
Hirimbura,
Galle.

WHEREAS an industrial dispute in respect of the matter specified in the statement of the Commissioner of Labour which accompanies this Order exists between the Plantation Industrial and General Workers' Union of the one part and Messrs A. M. P. Charles Silva, 206, Colombo Street, Kandy, and P. R. Sinniah Pillai, Sri Lanka Tile Works, Waikkal, the lessees of Sri Lanka Tile Works, Waikkal, of the other part:

Now, therefore, I, Michael Paul de Zoysa Siriwardena, Minister of Labour and Nationalised Services, do, by virtue of the powers vested in me by section 4 (1) of the Industrial Disputes Act, Chapter 131 of the Legislative Enactments, Ceylon (Revised Edition, 1956), as amended by the Industrial Disputes (Amendment) Acts, Nos. 14 of 1957, 62 of 1957, and 4 of 1962, hereby refer the aforesaid dispute to you for settlement by arbitration.

M. P. DE Z. SIRIWARDENA,
Minister of Labour and Nationalised Services.
21st February, 1963.

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

In the matter of an industrial dispute

between

Plantation Industrial and General Workers'
Union, 291, Main Street, Negombo, of the one part

and

Messrs. A. M. P. Charles Silva, 206, Colombo Street, Kandy,
and P. R. Sinniah Pillai, Sri Lanka Tile Works, Waikkal,
the lessees of Sri Lanka Tile Works, Waikkal,
of the other part

STATEMENT OF MATTER IN DISPUTE

The matter in dispute between Plantation Industrial and General Workers' Union of the one part and Messrs. P. R. Sinniah Pillai and A. M. P. Charles Silva, the lessees of Sri Lanka Tile Works, Waikkal, of the other part is whether the non-employment of the following workers is justified and to what relief each of them is entitled:—

- | | |
|-------------------------------|---------------------------|
| 1. W. Eddie Fias Tissera | 39. Cyril Wijesooriya |
| 2. R. M. Victor | 40. D. Poulis Perera |
| 3. W. Pedro Thamel | 41. W. K. A. M. F. Martin |
| 4. W. Justin Fernando | 42. H. D. Evasebious |
| 5. K. Aloysious | Appuhamy |
| 6. W. Newton Tissera | 43. W. Mersila Fernando |
| 7. Rogus | 44. W. Anthony Fernando |
| 8. U. Antony Perera | 45. Vinie |
| 9. K. Peter | 46. Premasiri Attanayake |
| 10. A. Francis Fernando Pulle | 47. T. Sumanadasa |
| 11. W. Mary Asilin Fernando | 48. S. G. A. Dharmasekera |
| 12. K. Shelton Perera | 49. W. Alponu |
| 13. P. W. Leslie Fernando | 50. W. K. M. Somaratne |
| 14. Mary Margaret | 51. S. Cyril |
| 15. Maria Isable Fernando | 52. W. L. Wilbert |
| 16. W. Selestina Fernando | 53. W. Milton |
| 17. W. Bibiyana Fernando | 54. Vincent |
| 18. W. Josephin | 55. I. Sirisena |
| 19. W. Salomy | 56. Solomon |
| 20. M. A. Vinitha | 57. B. Alostous Perera |
| 21. W. Annie Charlot | 58. S. M. Amarasena |
| 22. M. Elizabethhamy | 59. K. Simon |
| 23. J. M. Marthahamy | 60. Don Antony |
| 24. E. M. Ariyawathie | 61. K. Cyril |
| 25. Maria Fernando | 62. Michael |
| 26. J. Scolosthina | 63. C. Theresa |
| 27. W. Engrasia Thamel | 64. Dominic Silva |
| 28. W. Maria Fernando | 65. M. Ruban |
| 29. W. Emmanuel Tissera | 66. W. Manuel |
| 30. W. Nobert Fernando | 67. K. Monica Stela |
| 31. W. Edmund Fernando | 68. M. K. Piyadasa |
| 32. Francis | 69. W. Alostous Vaas |
| 33. I. Thomas | 70. R. Benadict Perera |
| 34. W. Sothi | 71. W. K. A. M. Thilaka |
| 35. Perivathambi | 72. M. D. Lionel Theodor |
| 36. W. Zoose Thamel | 73. M. D. Vincent Perera |
| 37. P. A. Sirisena | 74. D. P. Punchi Banda. |
| 38. L. P. Jayasinghe | |

Dated at Colombo, this 18th day of February, 1963.

N. L. ABEYWIRA,
Commissioner of Labour.

THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

Order under Section 4 (2)

WHEREAS as industrial dispute in respect of the matter specified in the statement of the Commissioner of Labour which accompanies this Order exists between the Ceylon Plantation Workers' Union and Mercantile Corporation Limited, P. O. Box 440, Colombo, the Agents of Proprietors of Dotalla Estate, Maskeliya:

Now, therefore, I, Michael Paul de Zoysa Siriwardena, Minister of Labour and Nationalised Services, do, by virtue of the powers vested in me by section 4 (2) of the Industrial Disputes Act, Chapter 131 of the Legislative Enactments (Revised Edition, 1956), as amended by the Industrial Disputes (Amendment) Acts, Nos. 14 of 1957, 62 of 1957 and 4 of 1962, hereby refer the aforesaid dispute for settlement to an Industrial Court which shall be constituted in accordance with the provisions of section 22 of that Act.

M. P. DE Z. SIRIWARDENA,
Minister of Labour and Nationalised
Services.

Colombo, February 19, 1963.

THE INDUSTRIAL DISPUTES ACT, CHAPTER 131

In the matter of an industrial dispute
between

Ceylon Plantation Workers' Union, 123, Union Place,
Colombo 2,

and

Mercantile Corporation Limited, P. O. Box 440, Colombo, the
Agents of the Proprietors of Dotalla Estate, Maskeliya.

STATEMENT OF MATTER IN DISPUTE

The matter in dispute between the Ceylon Plantation Workers' Union and Mercantile Corporation Limited, Colombo, the Agents of the Proprietors of Dotalla Estate, Maskeliya, in the demand made by the Ceylon Plantation Workers' Union for the recognition of the Union on the estate by the Management of Dotalla Estate, Maskeliya.

Dated at Colombo, this 13th day of February, 1963.

N. L. ABEYWIRA,
Commissioner of Labour.

3-217

T. 23/195/63.

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

Order under Section 4 (1)

G. W. Ediriwira, Esq.,
No. 64, Chitra Lane,
Colombo 5.

WHEREAS an industrial dispute in respect of the matter specified in the statement of the Commissioner of Labour which accompanies this Order exists between Mr. U. N. P. Fernando, 300, K. M. V. Road, Laxapathiya, Moratuwa, and Messrs. M. M. Salgado and Sons Ltd., Panadura.

Now, therefore, I, Michael Paul de Zoysa Siriwardena, Minister of Labour and Nationalised Services, do, by virtue of the powers vested in me by section 4 (1) of the Industrial Disputes Act, Chapter 131 of the Legislative Enactments, Ceylon (Revised Edition, 1956), as amended by the Industrial Disputes (Amendment) Acts, Nos. 14 of 1957, 62 of 1957 and 4 of 1962, hereby refer the aforesaid dispute to you for settlement by arbitration.

M. P. DE Z. SIRIWARDENA,
Minister of Labour and Nationalised Services.
19th February, 1963.

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

In the matter of an industrial dispute
between

Mr. U. N. P. Fernando, 300, K. M. V. Road, Moratuwa,
and

Messrs. M. M. Salgado and Sons Ltd., Panadura.

STATEMENT OF MATTER IN DISPUTE

The matter in dispute between Mr. U. N. P. Fernando and Messrs. M. M. Salgado and Sons Ltd., is to what relief is Mr. U. N. P. Fernando entitled in respect of the work done by him in excess of his normal hours of work during the period July, 1957-October, 1961.

Dated at Colombo, this 11th day of February, 1963.

N. L. ABEYWIRA,
Commissioner of Labour.

3-218

3-219

No. T. 7/647.

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

THE Award transmitted to me 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 and the United Engineering Workers' Union of the one part, and Messrs. Wilson Gunasekera, Donald Gunasekera and Albert Wijegunawardene, the Directors of Elasto Products, Bentota, of the other part, which was referred by Order dated March 11, 1961, made under section 4 (2) of the Industrial Disputes Act, Cap. 131, as amended by the Industrial Disputes (Amendment) Acts, Nos. 14 of 1957 and 62 of 1957 and published in *Ceylon Government Gazette* No. 12,328 dated March 24, 1961, for settlement by an Industrial Court, is hereby published in terms of section 25 (1) of the said Act.

N. L. ABEYWIRA,
Commissioner of Labour.

Department of Labour,
Colombo 3, 28th February, 1963.

Industrial Court at Colombo

No. I. D. 298

In the matter of an industrial dispute
between

The Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya, 5, Dematagoda Road, Colombo 9, and the United Engineering Workers' Union, 123, Union Place, Colombo 2
of the one part,

and

The Directors of Elasto Products, Bentota, of the other part.

THE AWARD

This is an award under section 24 of the Industrial Disputes Act (Cap. 131) of the Legislative Enactments of Ceylon (Revised Edition, 1956), as amended by the Industrial Disputes (Amendment) Acts, Nos. 14 and 62 of 1957 and 4 of 1962. It relates to an industrial dispute between the Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya and the United Engineering Workers' Union, of the one part, and the Directors of Elasto Products, Bentota, of the other part.

2. The Hon. the Minister of Labour and Nationalised Services by his Order dated 11th March, 1961, made by virtue of the powers vested in him by section 4 (2) of the Industrial Disputes Act referred the dispute to a Court consisting of the President, Mr. S. A. Wijayatilake, and the late Mr. C. V. Ranawake, for settlement. The Deputy Commissioner of Labour by his statement dated 3rd March, 1961, annexed to the reference set out the matter in dispute as whether the non-employment of the 111 workers whose names are mentioned in Schedule A below is justified and to what relief they are entitled. During the pendency of the proceedings the much regretted death of Mr. Ranawake occurred. The Hon. the Minister acting under the provisions of section 31 (2) of the Act by his Order dated 11th April, 1962, appointed Mr. D. R. P. Goonetilleke to take his place.

3. The making of the Award has unfortunately been long delayed, first by the illness of the President for about three months, and later by the delay, also of about the same period, in appointing a successor to Mr. Ranawake. These delays are regretted. The proceedings too have been long, comprising 24 sittings of the Court.

4. At the hearing Mr. N. Shanmugathan, General Secretary of the Ceylon Trade Union Federation, represented the United Engineering Workers' Union. The Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya was originally represented by Mr. A. Amerasekera, Proctor, and later by Mr. Advocate S. D. Jayawardena with Mr. Advocate Tudor Siriwardena, instructed by Mr. Stanley Rajapakse. Mr. Advocates S. J. Kadigamar with Mr. Advocate Desmond Fernando instructed by Mr. E. R. de Silva, Proctor, and assisted by Mr. Lyn Wirasekera of the Employers' Federation of Ceylon, appeared for the Directors of Elasto Products.

5. The two Unions filed a joint statement under regulation 20 of the regulations framed under the Act in which they alleged that the workers were under-paid and had no paid holidays, and that, therefore a section of the workers enrolled themselves as members of the Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya in September, 1960; the Management held meetings of the workers on the 8th October, 1960, 15th and 22nd October, 1960, and tried to dissuade them from forming a trade union and asked those who had joined the Union to resign their membership; the workers refused to do so; on 26th October, 1960, a notice was issued to the workers that as the Technical Director was absent the technical branch

of the establishment would be closed as from that date and that payments due to the workers would be made according to the rules of the Labour Department, and about 150 workers, including members of the Trade Union, were refused work; after that about 40 workers who were not members of the Union were given employment. The Unions further stated that four conferences were held by the Labour Department but these did not result in the 111 workers mentioned in the list of the Deputy Commissioner of Labour being re-employed, and the matter was referred to the Industrial Court. According to the Unions the non-employment was due to no other reason than victimisation, because the workers had attempted to organise themselves into a trade union to obtain redress of their just grievances.

6. The Directors of Elasto Products filed a statement in which they stated that of the 111 names mentioned in the Deputy Commissioner of Labour's list, 78 were those of workers who had been retrenched on the cessation of a considerable amount of engineering work; 22, later corrected to 23, were those of workers whose services had been terminated for reasons other than retrenchment; that six were those of workers whose services had not been terminated; and that five were those of persons who did not appear in the check roll. Along with the statement, the Directors submitted lists of names of those mentioned in the above categories. They further stated that they carried on business in the manufacture of rubber shoes and other rubber goods; that for this purpose an engineering department was established to manufacture the machinery for turning out shoes and other rubber goods; that all the machinery required had been completed, except that required for a particular process; that no new machinery would require to be manufactured, and therefore there was no need to continue to employ a large work force. Hence on 26th October, 1960, the 78 workers referred to above who were workers in the engineering department were discontinued and they were paid two weeks' wages in lieu of notice. The workers retained are those needed for the completion of the particular process referred to above and for repairs and maintenance. The statement further alleged that of the 22 workers who were discontinued for reasons other than retrenchment some had already filed cases in the Labour Tribunal for redress. According to the Directors the termination of employment of the workers had been effected in good faith and had been forced upon the Management because of business conditions in this industry which is highly competitive.

7. In the answer filed by the Unions they admitted that 6 of the workers mentioned in the Deputy Commissioner of Labour's list had not had their services terminated and stated that their names had been included in the list through an error and submitted six other names as the names which should have been included. With regard to the statement of the Directors that five names of workers mentioned in the Deputy Commissioner of Labour's list are not in the Company's check roll, the Unions admitted that there again there had been an error; that in regard to one of the five, the name of R. D. Danidasa should be inserted in place of R. V. Mahidasa, and that the other four names should be omitted.

8. On the first date of hearing it was agreed that because they had not been discontinued, the names of D. A. Albert (No. 63), M. P. de Silva (No. 101), D. C. B. Dissanayake (No. 102), L. G. Sirisena (No. 106), P. M. Gunawardena (No. 107) and W. B. Wimalasena (No. 108) be not considered in making the award. With regard to the request of the Unions that the names of W. Siripala, H. L. Piyadasa, K. W. Wimalasena, M. V. D. Karunadasa, R. Sirisena and M. A. D. Sirisena be substituted in place of those mentioned above, Mr. Wirasekera, for the Directors, stated that W. Siripala is one of those retrenched; that H. L. Piyadasa's name should not be substituted because he was not retrenched, but left of his own accord having resigned on 12th November, 1960; that in regard to K. W. Wimalasena, there is no such person employed by the Company; that M. V. D. Karunadasa may be substituted; with regard to R. Sirisena, his name already appears in the list as No. 33; with regard to M. A. D. Sirisena, there is no such person employed by the Company. In the result, then, there being no evidence to the contrary, the names of H. L. Piyadasa, K. W. Wimalasena and M. A. D. Sirisena are not substituted; R. Sirisena's name being already in the list, his name is not substituted. The names of W. Siripala, and R. V. D. Karunadasa were of consent substituted. The Award will bind them. With regard to the allegation that five of the workers whose names appear in the list, to wit, R. V. Mahidasa (No. 17), W. D. Ratnapala (No. 56), W. G. Jinadasa (No. 74), H. L. Ariyadasa (No. 103), and S. V. Albert (No. 105), are not names in the check roll, it is agreed that the name R. V. Mahidasa (No. 17) be read as R. D. Danidasa and that his name appears in the Company's check roll. So the Award will bind him under that name. With regard to the others the Unions accept the position that they were not employees of the Company. So the Award will not bind them. With regard to the statement of the Directors that the 22 persons (later corrected to 23) whose names are mentioned in the annex to the statement were discontinued at different times for reasons other than retrenchment, and that 12 of them had filed cases in the Labour Tribunal, it would appear that the following have

filed cases: E. N. Sirisena (No. 6), Arthur Wijesekera (No. 50), N. V. K. Gunasekera (No. 83), L. Abeywickrema (No. 84), W. D. Cyril Perera (No. 85), W. G. Sugathadasa (No. 86), S. Wijeyesinghe (No. 87), P. K. Thomas (No. 88), D. Mahavitarne (No. 89), M. K. Jinadasa (No. 90), B. D. Sugathadasa (No. 91) and M. K. Piyadasa (No. 110). Since it would be contrary to all principles of justice for any person to ask that his grievance be adjudicated by two different Courts at the same time and since proceedings had been instituted in the Labour Tribunals earlier, the Award of this Court will not bind them. With regard to the other 11 persons, the Unions stated at the proceedings on the 11th July, 1962, that they withdraw the names of Y. N. Madduma Banda (No. 105) and N. L. D. Lionel (No. 108), so that there were nine persons left in regard to whom individual consideration had to be paid as to the justifiability of their dismissals. In order to save the time of the Court it was agreed by all parties that these nine persons be treated as if the cause of their discontinuance was also retrenchment. The Unions also withdrew from the list supplied by the Deputy Commissioner of Labour certain other names, and an agreed list, marked X, containing 78 names was submitted to Court as the names of workers from the engineering section affected by the retrenchment. To this must be added the nine names referred to above, making a total of 87. Their names appear in list X 1 with the dates of employment and rates of wage.

9. At an early stage of the hearing after the opening addresses, Mr. Kadirgamar suggested the following issues with the object of keeping the inquiry within bounds:—

- (1) Is the employer entitled to close down the machine shop?
- (2) If the employer for any reason whatsoever closes or proposes to close down a part of his business, e.g., the machine shop, are the employees entitled to an order of reinstatement in employment?
- (3) Are the employees entitled to any compensation consequent upon any closure of the machine shop?

Mr. Shanmugathasan suggested—

- (a) Is the retrenchment *bona fide*?

At a little later stage Mr. Jayawardena suggested in regard to issue (1) of Mr. Kadirgamar—

Is the Engineering Department closed?

The above issues are set down to show in what matters the parties have been at dispute.

10. The evidence shows that the business of Elasto Products which consists mainly in the manufacture of rubber shoes and other rubber goods commenced in 1950. D 12 is a photostat copy of a certificate of registration under the Business Names Ordinance. The names of the partners are given as Wilson Gunasekera, Albert Wijegunawardena and Donald Gunasekera, and the place of business as Bentota. Mr. Donald Gunasekera, the prime mover in the formation of this partnership, is a person who had shown exceptional skill in handwork while at school. While he was yet a student in the Ceylon Technical College, the Department of Industries sent him on a scholarship to Batanagar in Calcutta to study the manufacture of rubber shoes. Some time after his return he proceeded to McGill University in Canada, where he achieved high distinctions in his engineering studies and obtained his degree. He then worked in the Public Works Department for some time but resigned and started the manufacture of rubber shoes in his own village of Bentota, though his father owned an extensive piece of land at Maradana in the city of Colombo where he could have erected his factory. Mr. Shanmugathasan for the Unions alleged that Mr. Donald Gunasekera had chosen Bentota so that he might obtain cheap labour and exploit the workers by under-paying them. The Court is convinced that that was not his object at all; his object was entirely patriotic and he was motivated by a desire to better the living conditions of his fellow-villagers of Bentota by providing them with work in their own residential areas. At the time of the discontinuance, 26th October, 1960, there were over 600 men and women living at Bentota and in the neighbouring villages for whom his firm had provided employment and livelihood. Their rates of pay compared with the rates of pay in other similar industries in places outside the city of Colombo are not unfavourable. Mr. Donald Gunasekera stated in his evidence that whenever anybody from the neighbourhood turned up at his factory and pleaded with him for work he found work for such persons even though he had no vacancy and the establishment was already over-staffed. The Court believes him. The extent to which the people of that area appreciated the services rendered to the community by Elasto Products is shown by the contents of the petition D 7 which they addressed to Mr. Albert Kariyawasam, their member of Parliament, when they invited him to intervene in this dispute. An extract from the petition (translated) reads as follows:—

"You may be aware of the "Foamtreads" institution which may be called a "celestial tree" to Bentota. The services rendered by this institution to the villagers who were suffering for lack of jobs, to the societies, associations, religious institutions and to the poor should be mentioned with

pride. But unfortunately, the situation which has now arisen is very pathetic. At this stage it is apparent that several selfish and jealous persons with cunning ideas are trying to mislead the innocent labourers and thereby hamper the progress of the institution and destroy it. Alas! this will result in blasting the future of this village. We should like to invite your attention to the fate of over 600 employees and the large number of their dependents. As constituents we humbly request you not to discourage the Directors who have an intention of making Bentota an industrial town in another few years by providing employment for over 2,500 persons. . . . Anhow the existence of this institution is vital to the village." The Court would associate itself with the village folks of Bentota and its neighbourhood and express its appreciation of the patriotic endeavours of Mr. Donald Gunasekera and his love for his fellow-villagers.

11. The evidence for the Management shows that the institution started from small beginnings. In a land at Bentota belonging to his father Mr. Donald Gunasekera erected some semi-permanent buildings, purchased at cheap rates large quantities of aluminium and other junk discarded by the military authorities at the termination of the Second World War and commenced the manufacture of rubber shoes. By dint of great skill and tireless application he turned out the machinery needed for their manufacture rather than purchase such machinery which would have been expensive. He trained and taught men to turn out the parts for the machinery and with a few purchased sewing machines he taught men and women to manufacture shoes and sandals with the machinery turned out in his machine shop. Various types of shoes and sandals have been manufactured from time to time to suit the changing tastes and fashions of the consumer-public—Foamtreads, Koochocks, Micro-Cellular, Reka, Midas, etc. In 1958 Mr. Gunasekera did a world-wide business-cum-study tour. He then came across a new process patented in America, called Process 82, which had been invented in 1957 and was said to be twenty-five years in advance of the times. On his return he purchased one machine to serve as a model and started manufacturing similar machines. According to the Management by October, 1960, there was in the establishment an ample supply of all the other machinery needed for manufacturing shoes and sandals, and there was no need to manufacture any more. At about this time there was keen competition with other manufacturers of shoes and sandals, and rationalisation engaged the attention of the Management. They were able to manufacture any number of shoes but were not able to sell them fast enough. At the end of September, 1960, the Management engaged the services of one Mr. G. C. Francis Pillai as Economic Adviser on the high salary of Rs. 1,500 a month to look into matters connected with sales promotion, distribution, etc. At this time the Management seriously considered giving up the manufacture of all machines except those required for the manufacture of Process 82 shoes. The machines they had were capable of producing anything up to 4,000 pairs of shoes a day, but the marketing capacity was only about half that number. Along with other junk discarded by the military authorities the Management had also purchased tools for manufacturing machinery. Now, however, new tools would need to be purchased if machinery was to continue to be manufactured, and these were expensive. In the opinion of the Management, it would be more economical to use imported machinery than to make their own machinery. The Management, which had also been producing its own supply of electrical power on four Diesel engines, had recently made application to the Government for power supply from its mains. If the Government supplied electricity there would be no need for the electricity maintenance staff on these engines. They were old engines and had to be frequently repaired and maintained. The contract with the Government for a supply of electricity was signed on 5.7.61. The Management had also ordered a large rubber-milling machine from a foreign firm to take the place of five smaller machines which were very old. The import of this rubber-milling machine would necessitate the termination of the services of the men engaged in repair and maintenance of these five machines. Hence Mr. Donald Gunasekera, as Technical Director of the firm, decided to close the machine shop as such and thereafter to make arrangements for the repair and maintenance of the machines in use. For this a small staff of about 15 men consisting of very skilled machinists and fitters alone would suffice; he would also need a few very skilled men to complete the manufacture of Process 82 machines. This decision had not yet taken final shape nor had a sorting out of the men who would have to be retained for this and the men who would have to be given notice of termination of services yet been done when trouble started in the establishment. There was a meeting of the workers summoned by the Management on 8th October, 1960, to introduce Mr. Francis Pillai. According to Mr. Donald Gunasekera, Mr. Albert Wijegunawardena took that occasion to give a pep talk to the workers because the quality of the work was suffering and in general the work was not up to the mark. After this, on 14th October, Mr. Donald Gunasekera received a letter, D 30, purporting to come from a trade union and listing 10 demands, including the discontinuance of the Managing Director, Mr. Wilson Gunasekera, who is Mr. Donald Gunasekera's brother. Both trade unions have disclaimed authorship of this letter. Mr. Donald Gunasekera did not know of the formation of a trade union in this establishment or from which Union the letter came, but he was,

according to him, greatly upset and hurt. So another meeting was convened on the 15th October, 1960, at which Mr. Donald Gunasekera addressed the workers. It also happened that at this time Mr. Donald Gunasekera was not in good health; he was suffering from parat sinus, and had to undergo an operation. So when addressing the workers he betrayed great emotion and left the meeting suddenly. Discipline and work deteriorated in the place after the 15th October. Mr. Donald Gunasekera was absent from work from that date on account of his illness. The others could not control the place. There was chaos. Some men were getting on the tables and singing ballads and disturbing those who wanted to work. On the 22nd October there was another meeting addressed by Mr. Albert Wijegunawardena. He asked the workers not to create chaos, but to work together; that if their unsettled state was due to union trouble they should all join one union and not have factions. The 23rd was a Sunday and the 24th was a holiday. On the 25th the workers did no work. Those who were opposed to the formation of a union did not want to work with those who wanted to form a union. If things had gone on normally, the closure of the machine shop would have been effected about the end of November, 1960, after due notice to the workers. But because of the situation it was definitely decided to close it forthwith, and the machine shop was closed on the 26th October. No notice of intention to close was given because it was feared that within the period of notice there might be sabotage.

12. This is in conflict with the position of the Unions that the non-employment of the workers discontinued was due to no other reason than victimisation, because they organised themselves into a trade union, and is not *bona fide*. So we would advert our minds to the issue raised by Mr. Shanmugathan. A considerable amount of evidence has been led on this point and a large proportion of the time of the Court was taken up in investigating it. The answer will have a bearing on the question of re-instatement and compensation. The evidence of M. W. Arthur and T. L. Wilbert shows that a branch of the Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya was formed at this establishment in October, 1960. A branch of the Engineering Workers' Union was formed in January, 1961. Though nobody claims authorship of letter D 30 making 10 demands received by the Management on 14th October, 1960, the fact that such a letter was sent would be an indication to the Management that a union had been formed, or was in the course of formation. According to the witnesses mentioned above, the Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya had been formed before the meeting of 8th October, and at that meeting Mr. Wijegunawardena and Mr. Donald Gunasekera said that a union had been formed and that it had to be disbanded. This is denied by the Management. However, on 14th October, the Management had received proof of the formation of a union. Admittedly at the meeting of 15th October, Mr. Donald Gunasekera spoke in tones of high emotion. There can be no doubt that he referred to the formation of a union. Wilbert's evidence is that after addressing the meeting Mr. Donald Gunasekera went away saying that he would not come back until the union was disbanded. Thereafter the meeting dispersed. There was a meeting again on 22nd October, at which Mr. Wijegunawardena addressed the workers. According to these witnesses, Mr. Wijegunawardena asked that the Union be disbanded before 12 noon; but no such decision was taken. In the meantime a petition was taken round by some workers asking Mr. Donald Gunasekera to come back and promising that the Union would be disbanded. Some signed and some refused to sign. There was trouble between the pro-union men and the anti-union men. 23rd October was a Sunday and the 24th was a holiday. When the workers turned up for work on the 25th there were demonstrations and processions by the workers and no work was done. It is quite clear there was chaos. On the 26th a notice was put up refusing work to the workers though there is a divergence of evidence as to the exact terms—whether it was as worded in P. 1 or not. Then the Labour Department conferences started. The first was an investigation on 26th October, after Mr. T. L. A. Fernando, Labour Officer, met the workers and the Management. The workers told him that the stoppage of work occurred because they had formed a trade union and had refused to disband. P. 15 is a copy of the report made by Mr. Fernando to his superior officer, Mr. L. R. de Silva, A.C.L. That report says *inter alia*, "First I contacted M/s. Wilson Gunasekera, Eton Wijegunawardena, Directors of Foamtreads. They made me understand that it is not possible to provide work for those in the engineering section as their Technical Director, Mr. Donald Gunasekera has left them. It is not possible to go on as there is none competent to supervise the mechanical section. It was more difficult in view of the fact that Mr. Donald Gunasekera was utilising the engineering workers to manufacture certain machines to put two of the newest shoes into the market, called Process 82 and 83. On account of Mr. Donald Gunasekera's departure work in the engineering section has come to a complete halt. The same Director made me understand that Mr. Gunasekera, the Technical Director, who was responsible for the designing of shoes and the making of all the weighing machinery (probably meaning presses) has left them for good, never to return. The reason for his departure seems to be the formation of a union by the workers, the majority of whom are in the engineering section. The work in the

engineering section has had to be stopped and according to the Management has to be closed down completely." The sentence "the reason for his departure seems to be the formation of a union by the workers the majority of whom are in the engineering section" represents possibly Mr. Fernando's impression, but it has to be observed that the reason given for the closure is the departure of Mr. Gunasekera and not that the need to make more machines had ended. The next conference was held on 28th October by Mr. L. R. de Silva, A.C.L. A copy of the notes of the conference has been produced and is marked D 5. At that conference Mr. Wijegunawardena, Mr. Wilson Gunasekera and Mr. Francis Pillai represented the Management and Mr. S. Kaikawela, Mr. D. P. Wijesena, Mr. E. L. Wilbert Silva, and Mr. G. Waraliyagoda represented the Nidahas Karmika Saha Velanda Sevaka Vurthiya Samithiya. The notes state *inter alia*, "Mr. Wijegunawardena states that a notice was posted on the 26th that due to the absence of the Technical Engineer there would be no work as from October 26th. The Management states that the Engineer, Mr. Gunasekera, is sick and that without him this section cannot carry on. Mr. Francis who has been employed to go into the financial aspects of this firm states that this Co. is over-staffed, that it is not economical to continue the Engineering section. The Management cannot state now as to whether work would start as Mr. Gunasekera cannot make up his mind as to when he will be able to work again." Here again the position of the Management was not that work was stopped because the machinery needed for the manufacture of shoes had been completed. Mr. Francis Pillai's statement that the Company is over-staffed and that it is not economic to continue the engineering section was not given as the reason for the stoppage of work. The reason given for the stoppage was that the Engineer was sick and that in his absence this section could not carry on. Before the next conference on 14th November, Mr. Kariyawasam, M. P. for the area, who had received the petition referred to earlier, intervened. He met Mr. Wijegunawardena, Mr. Wilson Gunasekera and Mr. Francis Pillai at the Guest House at Bentota and had a talk with them. From the nature of the talks he says he inferred that the Management was opposed to the formation of any trade union and that because of the trade union the men were discontinued. The conference on 14th November, 1960, was held by Mr. F. J. W. Serasinghe, Labour Officer. A copy of the notes of this conference has been produced, marked P 4. At this conference Mr. Wijegunawardena and Mr. Francis Pillai only were present. These notes state *inter alia*, "the management points out that the closure of this section was due to the sudden change in the illness of Mr. Donald Gunasekera due perhaps more to the disturbed conditions which were existent in the establishment at the time. It is also pointed out that this new section cannot be worked without Mr. Donald Gunasekera and the re-start of work will mainly depend upon his ability to resume duties The Management is prepared to review the full situation in respect of this section during the 3rd week of December, when something more definite about the health of Mr. Gunasekera will be known." Here again it will be seen that "all the machinery needed had been completed" was not given as a reason. The only reason given for the stoppage was the illness of Mr. Donald Gunasekera. The next conference as contemplated was held on 22nd December, also under the chairmanship of Mr. Serasinghe. At this conference Mr. Donald Gunasekera, Mr. Wijegunawardena and Mr. Francis Pillai were present for the Management, and Mr. Saranapala and Mr. Kaikawela for the workers. A copy of the notes of the conference has been produced, marked P 8. Prior to this date a certain number of workers had been re-employed. The representatives of the Union pressed for re-instatement of the others. The notes say *inter alia*, "the Management states that taking all matters into consideration, the Management is unable to find employment for all the remaining workers due to the following reasons:—

- (a) The physical inability of the Technical Director Mr. Donald Gunasekera to devote 14 hours a day to work;
- (b) It is much cheaper to import more efficient units of production than manufacture them in the present set of circumstances;
- (c) The technical revolution in the manufacture of sandals dispenses with the use of machinery, such as presses; the system in vogue at present is fabrication;
- (d) There is ample machinery in relation to present sales;
- (e) The position is still more difficult when one considers the fact that all the displaced workers are from the machine side."

It will thus be seen that on 22nd December, nearly two months after the stoppage, at the conference at which Mr. Donald Gunasekera was present, the reason is put forward for the first time that there is ample machinery in relation to present sales, and that it is more economical to import efficient units than to manufacture them. There have been subsequent conferences. It is not necessary to go into them. In view of the fact that it was only on 22nd December, nearly 2 months after the stoppage of work, the reason that there was no need to manufacture any further machinery, and that it was not economic, was put forward, it is difficult to accept

that as the reason for the stoppage on 26th October, 1960. The reason for the stoppage is clear. It was the formation of a union and the consequential chaos. Whatever may have been the substance of the speeches made on 8th October, there is no doubt that on 15th and 22nd October, the management expressed its vehement opposition to the formation of a union. One can sympathetically understand Mr. Donald Gunasekera's attitude. Because he loved his own fellow-villagers of Bentota and the surrounding villages, he planted his factory in his home village when he could well have constructed it in the heart of Colombo on land belonging to his father, and was giving employment to a very much larger number of men and women than his actual requirements, for the only reason that he desired to uplift them. He employed a much larger number of workers than Batas, a rival firm. He looked upon himself as a benefactor of his people, wishing their welfare and doing all he could for them. Then suddenly he discovered a small number of his employees forming a trade union. From his point of view trade unions always give trouble. One of the ten demands in D 30 was that his brother who was himself a hard worker, who used to rise very early in the morning to start the factory fires, should be dismissed. It completely upset him and he felt hurt. He was also ill during this period. He naturally wanted the union disbanded. There was opposition to it by the pro-union workers. The others took his side. Hence the chaos. There would have been no chaos if he had no objection to the formation of the union. The entire engineering section workers were refused work on 26th October. The unionists and those who opposed the formation of a union both suffered. Later some men were taken back for the work that is now going on there—maintenance and repairs and manufacture of Process 82. Arthur said in his evidence that in addition to this, some other work was being done in the engineering section. He said that new parts are being made for the old machines. He, however, added that no new machines are being assembled of the old types, but that these newly made parts are being used for repairing the old machines. He said that an advertisement board for fluorescent lighting was being made, and that within the time he was employed about 10 such advertisement boards had been made. The evidence of Mr. Donald Gunasekera with regard to making advertisement boards is that he had obtained a patent for a vibrating sign-board in the field of advertising and had made certain sign boards to advertise the goods of Elasto Products which have been erected at various places in Colombo; but that the making of sign-boards is not a permanent feature of their business; that they were not making any sign-boards at this time. There is no evidence that sign-boards are being made by Elasto Products to advertise other people's goods. It therefore cannot be considered as part of their business if occasionally they manufacture advertisement boards to advertise their own goods, and it obviously would not need a permanent staff. It would appear that tubular furniture is manufactured in another building on these grounds by a firm styled "Delta Steel Tube Furniture" constituted by the same three partners. It is a separate business with a separate check roll, staff and accounts. Arthur stated that while tubular chairs are manufactured in another section, bushes and axles for these chairs are manufactured in the engineering section. Mr. Donald Gunasekera's evidence on this point is that bushes, axles, nuts and screws are necessary for revolving chairs. They obtained these from aeroplane junk parts which they had purchased along with aluminium for making machinery; that they also purchased nuts and screws from Panchikawatta. These are superior to any nuts or screws they can turn out. When this source of supply was exhausted, Melder Motors turned them out for them. He produced receipts D 22, D 22A and D 22B for payments made to Melder Motors. They are dated 26.1.62, 15.5.61 and 10.4.61. According to Mr. Donald Gunasekera, Arthur is confusing the manufacture of bushes and axles for Process 82 machines and for Reka with the bushes and axles needed for revolving chairs. We think this is quite possible. We see no reason to reject the evidence of Mr. Donald Gunasekera on this point. We were told that the manufacture of calendars was done in the engineering section. Here, too, we accept the evidence of Mr. Donald Gunasekera that it is seasonal work done outside the engineering section by temporary workers. We are satisfied that from and after 26th October, 1960, the engineering section is being made use of only for repairs and maintenance of existing machinery and for the manufacture of the new Process 82.

13. In the result we hold that, in terms of the reference to us by the Hon. the Minister, the non-employment of the workers set out in Schedule B below is not justified.

14. In view of our finding that the non-employment of the workers set out in Schedule B is not justified and also our finding that at present there is no manufacture of machines for the manufacture of shoes and sandals, except Process 82, the question arises as to what relief the discontinued workers are entitled to. A considerable amount of time was taken up in arguing as to whether the act of the Management is a closure or retrenchment. It is quite clear that it is a partial closure and it has been followed by retrenchment of the superfluous workers. The Indian Industrial Disputes Act defines the word "retrenchment" as meaning the termination by the employer of the services of a workman for any reason whatsoever,

otherwise than as a punishment inflicted by way of disciplinary action, but as not including voluntary retirement, retirement on reaching the age of superannuation or termination of the services of a workman on the ground of continued ill-health. Where the retrenchment is not *bona fide* as we have found in this case and there has been a partial closure, will a Court order re-instatement? Ordering re-instatement will be tantamount to ordering the Management to re-start that part of the business which has been closed down, because otherwise the re-instated men will have no work to do but will be merely on the pay roll of the establishment. The Court will not stultify itself by ordering the Management to re-start the closed part of its business as it cannot enforce its decision. Besides an employer has a fundamental right even *mala fide* to close down the whole or part of his business. No case law is really necessary to support this proposition. However, as some case law has been cited before the Court we would refer to *Standard Coal Co. vs. their workmen, 1955 Labour Appeal Cases, 691*. In that case the High Court of Calcutta held "there is no doubt that a man has got the fundamental right to carry on a business or to close it down whenever he wants to, of course subject to the rights and claims that may have come into existence in connection therewith. Now, if a man refuses to carry on business even though unreasonably he cannot be compelled to do so. Retrenchment follows closure. If the closure is not justified or unreasonable, in other words, where it is intended to harass and victimise the workmen, in that case the closure may be *mala fide*. In that event the tribunal will take the fact into consideration in assessing compensation to be paid to the workmen, but there cannot be any re-instatement of the unemployed workmen because the tribunal cannot ask a person to carry on business against his will. In other words, a man is at liberty to carry on or not to carry on or close down a business; and he cannot be compelled to carry on business against his will." What applies to complete closure must apply with equal force to a partial closure. The Court therefore refuses to order re-instatement asked by the Unions. Before we advert our minds to the question of the quantum of compensation we would like to state that it was conceded by the Management that when it is retrenching, the ordinary rule of "last to come first to go all things being equal" must be observed. A special sitting of the Court was held on 8th October, 1962, to consider this matter. Document D 2 contains the names of the 21 workers who had been retained in the engineering section and D 2A the nature of their work and dates of employment while X 1A contains the names of the men who had been discontinued, the nature of their work and the dates of their employment; in D 2A the names are re-arranged according to the date of employment. The first 13 are men engaged prior to 1955 and are all senior to the men whose names appear in X 1A. With regard to the others, beginning with P. A. Gunasena, motor mechanic, who was engaged on 27.8.55, and ending with M. K. Sirisena, engaged on 4.9.58, explanations were given to us as to why they have been preferred to some whose names appear on list X 1A who are senior to them. They are specialists in the jobs they are doing in the engineering section, the only exception being Liyanoris, who was engaged on 10.1.57. He is an extra security man, and he has been retained because the Management has confidence in him. It is essential that a security man must be a person in whom the Management has confidence. On 8th October, Mr. Shanmugathan stated that he would require a date to check the accuracy of the statements made on behalf of the Management. After ascertaining whether he challenged the accuracy in regard to any of these men, 26th November, 1962, was fixed to hear his representations, and for leading evidence with regard to the men whose position as specialists is challenged. On that date nobody appeared for the Unions. So we have no option but to accept the statements made on behalf of the Management.

15. With regard to the quantum of the compensation, list XI sets out the daily wage paid to each of the discontinued workers, including those who were said to have resigned or said to have been sent away for reasons other than retrenchment and their dates of employment. Normally in cases of *bona fide* retrenchment a Court orders payment of half a month's wages for each completed year of employment up to a maximum of 5 years. In this case, since we have arrived at the finding that the retrenchment is not *bona fide* we direct that double that sum, to wit, a full month's wage, be paid. A month is to be taken as consisting of 26 working days. From this sum two weeks' wages, which have already been paid, are to be deducted. Schedule B below sets out the names of the workers, their dates of employment, rates of pay, and the amounts to be paid to them. The amounts are to be paid through the Assistant Commissioner of Labour, Galle, within two months of the publication of this Award in the *Ceylon Government Gazette*.

R. R. SELVADURAI,
President.

S. A. WIJAYATILLEKE,
Member.

D. R. P. GOONETILLEKE,
Member.

Colombo, February 19, 1963.

SCHEDULE " A "

- | | |
|-------------------------|-------------------------|
| B. H. Martin | M. V. Sirisena |
| M. G. Edwin | P. K. D. Gunasena |
| M. D. Piyatileke | T. A. G. Alwis |
| K. P. D. Dharmasena | K. A. D. Gunasena |
| D. M. Wimaladasa | E. L. Wilbert Silva |
| R. P. Lenora | G. W. D. M. Ranasinghe |
| M. L. Ranaweera | W. G. Jinadasa |
| G. W. Somapala | D. M. Wimaladasa |
| M. K. Kumarasinghe | G. A. Wijepala |
| D. S. Alwis | M. V. K. Gunasekera |
| W. P. Premasiri | W. G. Sugathadasa |
| A. A. Premadasa | Dayaratne Mahavitharne |
| T. A. Karunasena | Y. M. Madduma Banda |
| Arthur Wijesekera | D. A. Gilbert |
| A. Aron | M. D. Ariyasena |
| W. D. Ratnapala | M. P. de Silva |
| K. P. Somadasa | N. D. Yasanayagam |
| U. K. Laurence | P. M. Gunawardena |
| L. S. Gunasena | M. K. Piyadasa |
| L. S. Somadasa | D. P. Wijesena |
| Galis Withana | E. H. Sirisena |
| K. P. Wilson | D. Maduwagoda |
| I. D. Gunadasa de Alwis | D. W. David |
| W. D. Hendrew | K. A. Victor |
| I. G. D. Weerasinghe | Sirisena Mullewithana |
| S. W. W. Silva | K. P. Odiris |
| N. U. D. David | R. V. Mahidasa |
| K. D. Wimalasena | M. K. Moses |
| W. D. Siril Perera | B. Siripala |
| P. K. Thomas | Lionel Wijesekera |
| V. D. Sugathadasa | P. D. Bennet |
| S. W. Sirimanne | D. M. Baddawithana |
| G. D. Hendrick | K. D. Sirisena |
| H. A. Winne | G. P. Somasiri |
| H. S. Ariyadasa | M. K. Somaratne |
| L. G. Sirisena | M. W. Opel |
| D. Piyasena | W. L. H. Alwis |
| Gunasena Veraniyagoda | N. D. S. Weerasinghe |
| K. L. Gunasena | M. G. D. Pathmasiri |
| W. Ranaweke | Y. D. Somaratne |
| O. K. D. Dharmadasa | G. D. Karunatileke |
| W. Gunapala | B. O. V. Gunaratne |
| S. Hettiarachchi | R. Sirisena |
| W. D. Dayawansa | D. K. Kumarasinghe |
| I. W. M. D. Somapala | N. L. D. Lionel |
| S. Kannangara | L. N. Samaranyake |
| M. K. Ariyaratne | L. Abeywickrema |
| K. A. Upasena | S. Wijesinghe |
| K. P. Wijesena | M. K. Dinadasa |
| H. A. Dharmadasa | R. Gunasekera |
| W. Karunaratne | W. S. Hector |
| W. G. Karunadasa | K. H. Seeman |
| M. D. Kulatunga | D. C. B. Dissanayake |
| T. Lees Kumarasinghe | S. V. Albert |
| D. A. Albert | W. B. Wimalasena |
| | K. P. D. L. Jayawardene |

SCHEDULE " B "

| Name of Worker | Date of Employment | No. of Years' Service | | Present Daily Wage Rs. c. | Total Amount Due and Rs. c. | Two Weeks' Wages (12 days) Rs. c. | Balance Amount Due Rs. c. |
|-------------------------|--------------------|-----------------------|-------|---------------------------|-------------------------------|-----------------------------------|---------------------------|
| | | Yrs. | Mths. | | | | |
| B. H. Martin | 12. 3. 57 | 3 | 7 | 3 50 | 273 0 | 42 0 | 231 0 |
| Gunasena Veraniyagoda | 1. 6. 57 | 3 | 4 | 2 80 | 218 40 | 33 60 | 184 80 |
| D. P. Wijesena | 2. 11. 59 | 1 | — | 1 65 | 42 90 | 19 80 | 23 10 |
| M. G. Edwin | 17. 5. 58 | 2 | 5 | 3 40 | 176 80 | 40 80 | 136 0 |
| K. L. Gunasena | 8. 5. 59 | 1 | 5 | 1 90 | 49 40 | 22 80 | 26 60 |
| M. D. Piyathilake | 1. 1. 60 | — | 11 | 1 65 | Service less than 1 year; nil | | |
| K. A. Victor | 1. 10. 60 | — | 1 | 3 50 | do. | | |
| R. P. Lenora | 22. 9. 57 | 3 | 1 | 2 80 | 218 40 | 33 60 | 184 80 |
| S. Hettiarachchi | 16. 2. 56 | 4 | 8 | 3 50 | 364 0 | 42 0 | 322 0 |
| Sirisena Mullewithana | 1. 6. 59 | 1 | 5 | 2 30 | 59 80 | 27 60 | 32 20 |
| M. L. Ranaweera | 23. 11. 56 | 4 | — | 2 80 | 291 20 | 33 60 | 257 60 |
| W. D. Dayawansa | 2. 2. 59 | 1 | 8 | 1 90 | 49 40 | 22 80 | 26 60 |
| K. P. Odiris | 10. 7. 58 | 2 | 3 | 1 90 | 98 80 | 22 80 | 76 0 |
| G. W. Somapala | 15. 1. 58 | 2 | 9 | 2 80 | 145 60 | 33 60 | 112 0 |
| R. D. Danedasa | 25. 5. 59 | 1 | 5 | 1 90 | 49 40 | 22 80 | 26 60 |
| W. Ranawaka | 7. 5. 59 | 1 | 5 | 1 90 | 49 40 | 22 80 | 26 60 |
| D. Mathuwagoda | 9. 11. 55 | 5 | — | 3 50 | 455 0 | 42 0 | 413 0 |
| K. P. D. Dharmasena | 10. 7. 58 | 2 | 3 | 1 90 | 98 80 | 22 80 | 76 0 |
| O. K. D. Dharmadasa | 16. 4. 57 | 3 | 6 | 3 50 | 273 0 | 42 0 | 231 0 |
| D. W. David | 5. 12. 57 | 2 | 10 | 2 80 | 153 60 | 33 60 | 120 0 |
| D. M. Wimaladasa | 20. 8. 58 | 2 | 2 | 2 40 | 124 80 | 28 80 | 96 0 |
| W. Gunapala | 25. 1. 57 | 3 | 9 | 2 25 | 175 50 | 27 0 | 148 50 |
| K. P. Wilson | 16. 10. 57 | 3 | — | 2 80 | 218 40 | 33 60 | 184 80 |
| K. A. D. Gunasena* | 10. 7. 58 | 2 | 3 | 1 90 | 98 80 | 22 80 | 76 0 |
| G. D. Karunathilake | 8. 2. 58 | 2 | 8 | 2 40 | 124 80 | 28 80 | 96 0 |
| I. D. Gunadasa De Alwis | 30. 10. 58 | 2 | — | 1 90 | 98 80 | 22 80 | 76 0 |
| E. L. Wilbert Silva | 12. 6. 59 | 1 | 3 | 1 90 | 49 40 | 22 80 | 26 60 |
| W. D. Andrew | 11. 3. 58 | 1 | 7 | 2 40 | 124 80 | 28 80 | 96 0 |
| R. Sirisena | 16. 10. 58 | 2 | — | 2 40 | 124 80 | 28 80 | 96 0 |

| Name of Worker | Date of Employment | No. of Years' Service Yrs. Mths. | Present Daily Wage Rs. c. | Total Amount Due and Rs. c. | Two Weeks' Wages (12 days) Rs. c. | Balance Amount Due Rs. c. |
|--|--------------------|-------------------------------------|------------------------------|--------------------------------|--------------------------------------|------------------------------|
| I. G. D. Weerasinghe | 1. 4.57 | 3 6 | 2 80 | 218 40 | 33 60 | 184 80 |
| M. K. Kumarasinghe | 10. 5.57 | 3 5 | 2 80 | 218 40 | 33 60 | 184 80 |
| S. Kannangara | 1. 7.60 | — 3 | 1 65 | Service less than 1 year; nil | | |
| M. K. Moses | 28. 4.59 | 1 6 | 1 90 | 49 40 | 22 80 | 26 60 |
| D. S. Alwis | 12. 7.59 | 1 3 | 1 90 | 49 40 | 22 80 | 26 60 |
| M. K. Ariyaratne | 26.10.53 | 7 — | 4 20 | 546 0 | 50 40 | 495 60 |
| B. Siripala | 13.10.59 | 1 — | 1 90 | 49 40 | 22 80 | 26 60 |
| W. P. Premasiri | 3.10.57 | 3 — | 2 80 | 218 40 | 33 60 | 184 80 |
| K. A. Upasena | 9. 6.59 | 1 4 | 1 90 | 49 40 | 22 80 | 26 60 |
| Lionel Wijesekera | 8. 7.60 | 6 — | 1 65 | 214 50 | 19 80 | 194 70 |
| A. A. Premadasa | 21. 6.54 | 6 4 | 4 15 | 539 50 | 49 80 | 489 70 |
| K. P. Wijesena | 1. 8.59 | 1 2 | 2 40 | 62 40 | 28 80 | 33 60 |
| P. D. Benet | 1. 9.58 | 2 1 | 2 40 | 124 80 | 28 80 | 96 0 |
| T. A. Karunasena | 25. 5.59 | 1 5 | 1 90 | 49 40 | 22 80 | 26 60 |
| H. A. Dharmadasa | 30.10.58 | 2 — | 2 40 | 124 80 | 28 80 | 96 0 |
| D. M. Baddewithana | 20. 9.58 | 2 1 | 2 80 | 145 60 | 33 60 | 112 0 |
| K. D. Sirisena | 1. 6.59 | 1 4 | 1 90 | 49 40 | 22 80 | 26 60 |
| G. P. Somasiri | 2. 9.57 | 3 1 | 2 80 | 218 40 | 33 60 | 184 80 |
| M. D. Kulathunga | 27. 3.56 | 4 7 | 3 50 | 364 0 | 42 0 | 322 0 |
| M. K. Somaratne | 3. 6.57 | 3 4 | 2 80 | 218 40 | 33 60 | 184 80 |
| T. Lees Kumarasinghe | 16.12.57 | 2 10 | 2 80 | 145 60 | 33 60 | 112 0 |
| M. W. Opel | 20. 7.59 | 1 3 | 1 90 | 49 40 | 22 80 | 26 60 |
| U. R. Lawrence | 12. 5.58 | 2 5 | 2 40 | 124 80 | 28 80 | 96 0 |
| L. S. Gunasena | 25. 1.57 | 3 9 | 3 50 | 273 0 | 42 0 | 231 0 |
| N. D. S. Weerasinghe | 3.12.56 | 3 10 | 3 50 | 273 0 | 42 0 | 231 0 |
| L. S. Somadasa | 9.12.57 | 2 10 | 2 80 | 145 60 | 33 60 | 112 0 |
| M. G. D. Padmasiri | 1. 2.59 | 1 9 | 1 90 | 49 40 | 22 80 | 26 60 |
| Garlis Withana | 16. 9.56 | 4 — | 3 50 | 364 0 | 42 0 | 322 0 |
| Y. S. Somaratne | 18. 8.58 | 2 2 | 2 40 | 124 80 | 28 80 | 96 0 |
| D. M. Wimaladasa | 20. 7.58 | 2 3 | 2 40 | 124 80 | 28 80 | 96 0 |
| N. U. D. David | 7. 2.58 | 2 8 | 2 80 | 145 60 | 33 60 | 112 0 |
| N. L. Samaranyake | 1. 6.59 | 1 4 | 1 90 | 49 40 | 22 80 | 26 60 |
| D. Piyasena | 2. 5.57 | 3 5 | 2 80 | 218 40 | 33 60 | 184 80 |
| M. K. Piyadasa | 3. 9.59 | 1 1 | 1 90 | 49 40 | 22 80 | 26 60 |
| K. P. D. L. Jayawardana | 19.10.57 | 3 — | 3 50 | 273 0 | 42 0 | 231 0 |
| W. Siripala | 23.11.56 | 3 11 | 2 80 | 218 40 | 33 60 | 184 80 |
| M. V. D. Karunadasa | 1.10.57 | 3 — | 2 30 | 179 40 | 27 60 | 151 80 |
| I. M. W. D. Hemapala | 1. 8.58 | 2 2 | 2 40 | 124 80 | 28 80 | 96 0 |
| G. D. Aron | 22. 8.56 | 4 2 | 3 50 | 364 0 | 42 0 | 322 0 |
| B. O. P. Gunaratne | 1.10.60 | — 1 | 1 65 | Service less than 1 year; nil | | |
| G. W. D. M. Ranasinghe | 30. 7.59 | 1 3 | 1 90 | 49 40 | 22 80 | 26 60 |
| N. L. W. Karunaratne | 1. 8.58 | 2 2 | 2 40 | 124 80 | 28 80 | 96 0 |
| R. B. K. Karunadasa | 7. 2.58 | 2 8 | 2 80 | 145 60 | 33 60 | 112 0 |
| K. V. Somadasa | 20. 5.52 | 8 8 | 3 80 | 494 0 | 46 10 | 447 90 |
| K. A. D. Gunasena* | 10. 7.59 | 1 3 | 1 90 | 49 40 | 22 80 | 26 60 |
| T. A. G. Alwis (W. L. Hemachandra Alwis) | 18. 1.59 | 1 9 | 1 90 | 49 40 | 22 80 | 26 60 |
| S. W. Wimaladasa | 1. 4.60 | — 7 | 2 50 | 32 50 | 30 0 | 2 50 |
| P. A. Wijepala | 3. 6.57 | 3 4 | 2 40 | 187 20 | 28 80 | 158 40 |
| D. K. Kumarasinghe | 15. 9.58 | 2 1 | 2 40 | 124 80 | 28 80 | 96 0 |
| G. A. Gilbert | 1. 4.50 | 10 6 | 3 35 | 435 50 | 40 20 | 395 30 |
| W. S. Hector | 17.12.58 | 1 10 | 2 25 | 58 50 | 27 0 | 31 50 |
| R. Gunasekera | 8.10.58 | 2 — | 2 75 | 143 0 | 33 0 | 110 0 |
| S. W. Sirimanne | 7.11.55 | 4 11 | 3 30 | 343 20 | 39 60 | 303 60 |
| G. D. Hendrick | 1. 4.56 | 4 6 | 3 0 | 312 0 | 36 0 | 276 0 |
| M. D. Ariyasena | 4. 8.58 | 2 2 | 2 75 | 143 0 | 33 0 | 110 0 |
| K. H. Seemon | 4. 8.58 | 2 2 | 2 10 | 109 20 | 25 20 | 84 0 |
| H. A. Winnie | 4. 8.58 | 2 2 | 2 75 | 143 0 | 33 0 | 110 0 |
| W. G. L. Alwis | 2. 2.59 | 1 8 | 1 90 | 49 40 | 22 80 | 26 60 |
| | | | | 14,007 70 | 2,558 30 | 11,449 40 |

* This worker's name appears in two different places showing two different dates of employment. We direct that the earlier date, viz. 10. 7. 58, be accepted and payment made accordingly to the worker concerned.

R. R. SELVADURAI,
President.

S. A. WIJAYATILAKE,
Member.

D. R. P. GOONETILLEKE,
Member.

C/I. 187.

28th February, 1963.

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

Order under Section 4 (1)

To: J. E. Ivon Perera, Esq.,
 11, Police Park Avenue,
 Colombo 5.

WHEREAS an industrial dispute in respect of the matter specified in the statement of the Commissioner of Labour which accompanies this Order exists between the Independent, Industrial and Commercial Workers' Union and Ceylon Turf Club, Colombo :

Now, therefore, I, Michael Paul de Zoysa Siriwardena, Minister of Labour and Nationalised Services, do, by virtue of the powers vested in me by section 4 (1) of the Industrial Disputes Act, Chapter 131 of the Legislative Enactments, Ceylon (Revised Edition 1956), as amended by the Industrial Disputes (Amendment) Acts, Nos. 14 of 1957, 62 of 1957 and 4 of 1962, hereby refer the aforesaid dispute to you for settlement by arbitration.

M. P. DE Z. SIRIWARDENA,
 Minister of Labour and Nationalised Services.

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

In the matter of an industrial dispute
 between

Independent, Industrial and Commercial Workers' Union,
 407, Galle Road, Colombo 3,

and

Ceylon Turf Club, Reid Avenue, Colombo 7.

STATEMENT OF MATTER IN DISPUTE

The matter in dispute between Independent, Industrial and Commercial Workers' Union and Ceylon Turf Club, Colombo, is—

Whether the proposed termination of services of the following employees is justified and to what relief each of them is entitled:—

V. R. Samarasekera
 S. R. Peiris
 S. E. Thiruchelvam
 P. W. de Silva
 D. D. Jayasiriwardena
 Mrs. R. Hindle
 H. D. Manuel
 H. S. Fernando
 David
 P. A. E. Perera
 M. D. Simon
 L. W. S. Wickremasinghe
 H. Odiris
 D. Elias Appuhamy
 D. Ponniah
 V. Narayanan
 J. S. Botejue
 A. G. Dharmadasa
 D. D. Kotalawala
 K. C. Perera
 Miss T. Ebert
 T. S. Silva
 M. Mendis
 M. S. Fernando
 K. Sathan
 T. Periyasamy
 A. W. Silva
 S. Albert Singho
 S. Thirumalayandy
 M. Soamasiri
 J. D. George
 R. P. John Singho
 D. D. Paulis
 T. Muttiah
 M. M. James
 S. Kandiah
 P. J. Dabare
 A. Thasan
 W. J. Perera
 R. Vellayan
 K. Velu
 A. M. Sadgunam
 A. A. Perera
 A. M. M. Zahir
 W. A. N. Perera
 Mrs. R. Kumaravel
 P. R. Costa

Miss J. Jansz
 P. R. Perera
 D. A. Wanigasekera
 W. D. S. Dahanayake
 K. Pedrick Perera
 M. D. Marthelis
 G. K. Weeraman
 D. D. Samarawickrama
 D. W. Gunasekera
 S. Kolandavel
 L. L. James Perera
 W. A. Abeyratne,
 M. D. Solomon
 W. Wilbert
 N. P. G. Francis
 G. D. Leon
 S. Perumal
 W. T. V. Thavar
 W. Ruben
 K. M. Premadasa
 U. M. Sally
 S. John
 W. Cassie
 S. Seeni
 P. N. Piyadasa
 W. Pabilis Silva
 A. John Perera
 Wilfred de Silva
 S. Daniel
 N. Arlis Appuhamy
 K. Muttiah
 K. Sinniah
 N. W. Suwaris Appuhamy
 B. A. Piyasena
 U. D. Justin
 A. Joseph
 K. Joseph
 B. W. Perera
 A. X. Fernandez
 H. J. Perera
 L. M. Perera
 Mrs. B. Cader
 Miss P. de Silva
 H. P. Dabare
 S. M. Sappadin
 G. Jayasuriya
 B. M. R. Perera
 C. Senanayake
 J. D. J. William
 H. G. Dias
 D. W. Dias
 P. S. Gomes
 M. L. Silva
 H. D. S. Jayasekera
 H. G. M. Charles Perera
 J. A. Surisena
 M. D. Daniel
 M. A. Kuben
 M. F. C. Silva
 K. Ramasamy
 P. K. Dabare
 W. M. Jayasinghe
 K. W. Pedrick Singho
 K. Sendavel
 S. Ruben Perera
 M. Kadakari
 H. D. Perera
 G. Sumatipala
 E. Tillekeratne
 V. Patten
 R. A. Alexander
 W. D. P. William
 S. Muttiah
 E. D. Piyadasa
 S. Palliah
 P. Vadivel
 N. A. Dias
 S. K. Kannapathy
 I. Sinnasamy
 H. H. Podiappuhamy
 R. A. Rosalin Nona
 K. Magie Silva
 P. K. Sellammal
 P. A. Annie Nona
 V. L. Sovsa
 M. D. Sirisena
 Maradaveeran
 S. P. Chetty
 Ponniah
 Tholan
 Arivadasa
 Siyathu
 Kandesamy
 V. S. Mayandy
 S. Sellamma
 M. P. Regina Hamy
 P. Ramai

M. Madathie
H. A. Luvi Nona
S. V. Valliamma
W. M. Fonseka
Kali
K. Nathan
Podi Singho
J. A. Pieris
Sangarapillai
Sandavam
Don Robert
M. Wilmot Silva
A. Mariamma
P. Sellamuttu
S. N. N. Letchimi
S. Thaimamma
R. V. Mary Nona
R. P. Podi Nona
M. Daniel
Maraday
Dingiri Banda
A. Chetty
Pabilis
Poosari
Kathiah
B. M. Martin.

HEALTH SERVICES ACT (CAP. 219)—HOSPITAL COMMITTEE, GOVERNMENT GENERAL HOSPITAL, KANDY

THE Honourable Minister of Health has been pleased to appoint in terms of section 11 of the Health Services Act (Cap. 219), Mr. M. B. Alahakoon to be a member of the Hospital Committee for the Government General Hospital, Kandy, from February 16, 1963 to December 31, 1963.

Ministry of Health,
Colombo, February 16, 1963.
3—245

L. S. B. PERERA,
Permanent Secretary.

HEALTH SERVICES ACT (CAP. 219)—HOSPITAL COMMITTEE, GOVERNMENT GENERAL HOSPITAL, KURUNEGALA

THE Honourable Minister of Health has been pleased to appoint in terms of section 11 of the Health Services Act (Cap. 219), Dr. C. W. A. de Silva to be a member of the Hospital Committee for the Government General Hospital, Kurunegala, from February 12, 1963 to December 31, 1963.

Ministry of Health,
Colombo, February 12, 1963.
3—236

L. S. B. PERERA,
Permanent Secretary.

Dated at Colombo, this 27th day of February, 1963.

N. L. ABEYWIRA,
Commissioner of Labour.

3—362

THE WAGES BOARDS ORDINANCE

Notification

IT is hereby notified under regulation 26 of the Wages Boards Regulations, 1943, that under section 9 of the Wages Boards Ordinance (Chapter 136), the Honourable Minister of Labour and Nationalised Services has been pleased to appoint Mr. R. B. L. E. Wijesuriya to be a member of the Wages Board for the Coir Mattress and Bristle Fibre Export trade, to represent the employers in that trade in place of Mr. S. A. Surasena, who has resigned.

V. S. M. DE MEL,
Permanent Secretary,
Ministry of Labour and Nationalised Services.

Colombo, February 25, 1963.
3—359

HEALTH SERVICES ACT (CAP. 219)—HOSPITAL COMMITTEE, GOVERNMENT GENERAL HOSPITAL, JAFFNA

THE Honourable Minister of Health has been pleased to appoint in terms of section 11 of the Health Services Act (Cap. 219), Mr. M. Kathiravelu to be a member of the Hospital Committee for the Government General Hospital, Jaffna, from February 19, 1963 to December 31, 1963.

Ministry of Health,
Colombo, February 19, 1963.
3—367

L. S. B. PERERA,
Permanent Secretary.

HEALTH SERVICES ACT (CAP. 219)—HOSPITAL COMMITTEE, GOVERNMENT GENERAL HOSPITAL, BATTICALOA

THE Honourable Minister of Health has been pleased to appoint in terms of section 11 of the Health Services Act (Cap. 219), Mr. D. B. RASANAYAGAM to be a member of the Hospital Committee for the Government General Hospital, Batticaloa, from February 11, 1963 to December 31, 1963.

Ministry of Health,
Colombo, February 11, 1963.
3—368

L. S. B. PERERA,
Permanent Secretary.

PORT (CARGO) CORPORATION ACT, No. 13 OF 1958

IT is hereby notified for general information that the Hon. Minister of Labour and Nationalised Services has been pleased under section 7 (1) of the Port (Cargo) Corporation Act, No. 13 of 1958, as amended by the Port (Cargo) Corporation (Amendment) Act, No. 67 of 1961, to appoint Mr. B. H. DE ZOYSA, C.C.S., Acting Principal Collector of Customs, to be a member of the Board of Directors of the Port (Cargo) Corporation with effect from January 1, 1963.

V. S. M. DE MEL,
Permanent Secretary to the
Ministry of Labour and Nationalised Services.

Colombo, February 19, 1963.
3—343

HEALTH SERVICES ACT (CAP. 219)—HOSPITAL COMMITTEE, GOVERNMENT GENERAL HOSPITAL, KURUNEGALA

THE Honourable Minister of Health has been pleased to appoint in terms of section 11 of the Health Services Act (Cap. 219), Mr. P. B. EKANAYAKE to be a member of the Hospital Committee for the Government General Hospital, Kurunegala, from February 22, 1963 to December 31, 1963.

Ministry of Health,
Colombo, February 22, 1963.
3—371

L. S. B. PERERA,
Permanent Secretary.

THE CEYLON (PARLIAMENTARY ELECTIONS) ORDER IN COUNCIL, 1946

Electoral District No. 25—Horana

IT is hereby notified for general information that in view of the order of the Minister of Local Government and Housing made under sections 5, 6 and 14 of the Urban Councils Ordinance (Chapter 255), and section 84 of the Local Authorities Elections Ordinance (Chapter 262) and published in *Gazette Extraordinary* No. 13,124 of May 17, 1962, the particulars set out in the Schedule hereto should be substituted for the particulars set out in respect of Polling Districts "R" and "S" of the above Electoral District, in the Schedule to the Notice under section 10 (3) of the Ceylon (Parliamentary Elections) Order in Council, 1946, published in *Gazette Extraordinary* No. 12,506 of July 5, 1961.

The Elections Office,
Kalutara, February 15, 1963.

P. H. V. DE SILVA,
Assistant Registering Officer
for Electoral District No. 25—Horana.

" SCHEDULE

| Polling District | Letter or Letters assigned | Area within which Polling Station or Stations will be situated |
|--|----------------------------|--|
| Ward No. 1—Galedandugoda and Ward No. 2—Pirivena and Ward No. 3—Udawatta and Ellakanda Estate (Portion within Ward No. 3—Udawatta) and Part of Ward No. 7—Haltotiyawatta of the Horana Urban Council in Raigam Korale | R | Ward No. 3—Udawatta |
| Ward No. 4—Munagama and Hegalla Group (Portion within Ward No. 4—Munagama) and Ward No. 5—Horana Central and Sorana Group (Portion within Ward No. 5—Horana Central) and Ward No. 6—Wewala and Hegalla Group (Portion within Ward No. 6—Wewala) and Part of Ward No. 7—Haltotiyawatta of the Horana Urban Council in Raigam Korale | S | Ward No. 5—Horana Central" |

THE CEYLON (PARLIAMENTARY ELECTIONS) ORDER IN COUNCIL, 1946

Electoral District No. 26—Bulathsinhala

IT is hereby notified for general information that in view of the Order of the Minister of Local Government and Housing made under section 5 (1) of the Village Councils Ordinance (Chapter 257), and section 84 of the Local Authorities Elections Ordinance (Chapter 262), and published in *Gazette* No. 12,934 of February 16, 1962, and the Order of the Minister of Local Government and Housing made under section 8 of the Village Councils Ordinance (Chapter 257), and published in *Gazette* No. 12,937 of February 23, 1962, the particulars set out in the Schedule hereto should be substituted for the particulars set out in respect of Polling Districts 'Q', 'R', 'S', 'T' and 'U' of the above Electoral District, in the Schedule to the Notice under section 10 (1) of the Ceylon (Parliamentary Elections) Order in Council, 1946, published in *Gazette Extraordinary* No. 11,849 of September 8, 1959.

Elections Office,
Kalutara, February 15, 1963.

P. H. V. DE SILVA,
Assistant Registering Officer
for Electoral District No. 26—Bulathsinhala.

" SCHEDULE

| Polling District | Letter or Letters assigned | Area within which Polling Station or Stations will be situated |
|--|----------------------------|--|
| Ward No. 2—Werawatta of the Munwattebage Pattu East Village Council area comprising Werawatta, Walpita, Kannanwila villages and Nagahakanda Division (Neuchatel Group) in Raigam Korale and Ward No. 3 Mahayala, of the Munwattebage Pattu East Village Council area comprising Mahayala, Kuda Yala, Akurukalawita, Ampitigala villages and Ampitigala Estate in Raigam Korale | Q | .. Werawatta |
| Ward No. 4—Mabogoda of the Munwattebage Pattu East Village Council area comprising Udugammana, Muruddeniya, Mabogoda villages in Raigam Korale and Ward No. 5 Anguruwatota of the Munwattebage Pattu East Village Council area comprising Anguruwatota village and Home Division (Neuchatel Group) in Raigam Korale and Ward No. 6—Madurawala of the Munwattebage Pattu East Village Council area comprising Madurawala village in Raigam Korale | R | .. Madurawala |
| Ward No. 1—Ilimbe of the Munwattebage Pattu East Village Council area comprising of Ilimbe Kandana villages and Katuhena Division (Sorana Group), Ilimbe Division (Sorana Group) and Dickhena Estate in Raigam Korale | S | .. Ilimbe |
| Ward No. 14—Bellapitiya of the Munwattebage Pattu East Village Council area comprising Bellapitiya, Mahena villages and Arambekanda Division (Hegalla Group), Katuhena Division (Sorana Group) and Dickhena Estate in Raigam Korale and Ward No. 15—Remuna of the Munwattebage Pattu East Village Council area comprising Remuna village and Remuna Estate in Raigam Korale | T | .. Bellapitiya |
| Ward No. 10—Kehellenawa of the Munwattebage Pattu West Village Council area comprising Kehellenawa Detagoda, Iwudugoda, Kudella, Padagala and Uratuduwa villages in Raigam Korale | U | .. Kehellenawa " |

3-238/2.

THE CEYLON (PARLIAMENTARY ELECTIONS) ORDER IN COUNCIL, 1946

Electoral District No. 27—Bandaragama

IT is hereby notified for general information that in view of the Order of the Minister of Local Government and Housing made under section 5 (1) of the Village Councils Ordinance (Chapter 257), and section 84 of the Local Authorities Elections Ordinance (Chapter 262), and published in *Gazette* No. 12,934 of February 16, 1962, and the Order of the Minister of Local Government and Housing made under section 8 of the Village Councils Ordinance (Chapter 257), and published in *Gazette* No. 12,937 of February 23, 1962, the particulars set out in the Schedule hereto should be substituted for the particulars set out in respect of Polling Districts 'X', 'Y', 'Z', 'AA', 'BB', 'CC', 'DD', 'EE', 'FF', 'GG', 'HH', 'II', 'JJ', and 'KK' of the above Electoral District, in the Schedule to the Notice under section 10 (1) of the Ceylon (Parliamentary Elections) Order in Council, 1946, published in *Gazette Extraordinary* No. 11,849 of September 8, 1959.

Elections Office,
Kalutara, February 15, 1963.

P. H. V. DE SILVA,
Assistant Registering Officer
for Electoral District No. 27—Bandaragama.

" SCHEDULE

| Polling District | Letter or Letters assigned | Area within which Polling Station or Stations will be situated |
|--|----------------------------|--|
| Ward No. 11—Batagoda of the Munwattebage Pattu West Village Council area comprising Batagoda village in Raigam Korale and Ward No. 12 Dombagoda of the Munwattebage Pattu West Village Council area comprising Dombagoda and Pilothupitiya villages in Raigam Korale | X | .. Dombagoda |
| Ward No. 10—Yatawara of the Munwattebage Pattu East Village Council area comprising Yatawara village and Ward No. 11—Panagoda of the Munwattebage Pattu East Village Council area comprising Panagoda village and Ward No. 12—Begamuwa of the Munwattebage Pattu East Village Council area comprising Begamuwa and Thalahitiya villages and Hinxtton Division (I utupaula Group) in Raigam Korale | Y | .. Yatawara |
| Ward No. 13—Galpatha of the Munwattebage Pattu East Village Council area comprising Galpatha and Baruhupola villages in Raigam Korale | Z | .. Galpatha |
| Ward No. 1—Pelpola and Ward No. 2—Imbulahena of the Munwattebage Pattu West Village Council area comprising Pelpola village in Raigam Korale | AA | .. Pelpola |
| Ward No. 7—Uduwara of the Munwattebage Pattu East Village Council area comprising Uduwara village and Home Division (Neuchatel Group) in Raigam Korale | BB | .. Uduwara |
| Ward No. 8—Delgoda of the Munwattebage Pattu East Village Council area comprising Delgoda village and Ward No. 9—Pathakada of the Munwattebage Pattu East Village Council area comprising Pathakada village and Polbindinakanda Division (Neuchatel Group) in Raigam Korale | CC | .. Pathakada |
| Part of Ward No. 14—Labugama of the Munwattebage Pattu West Village Council area comprising Labugama village in Raigam Korale | DD | .. Labugama |
| Part of Ward No. 14—Labugama of the Munwattebage Pattu West Village Council area not included in Polling District DD, comprising Yalagala village in Raigam Korale and Ward No. 13—Peti-gamuwa of the Munwattebage Pattu West Village Council area comprising Peti-gamuwa village in Raigam Korale and Ward No. 15—Weniwelpitiya of the Munwattebage Pattu West Village Council area comprising Weniwelpitiya village in Raigam Korale | EE | .. Weniwelpitiya |

| Polling District | Letter or Letters assigned | Area within which the Polling Station or Stations will be situated |
|--|----------------------------|--|
| Ward No. 16—Kennantudawa of the Munwattebage Pattu West Village Council area comprising Kennantudawa village and Dickhena Division (Neuchatel Group) in Raigam Korale and Ward No. 7—Langana of the Munwattebage Pattu West Village Council area comprising Langana, Madampe and Mawathagama villages in Raigam Korale | FF | Mawathagama |
| Ward No. 8—Haltota and Ward No. 9—Lenawara of the Munwattebage Pattu West Village Council area comprising Haltota, Kelesgamuwa and Nagomuwa villages in Raigam Korale | GG | Haltota |
| Ward No. 17—Welikala of the Munwattebage Pattu West Village Council area comprising of Welikala, Thibbotugoda villages and Hegalla Group in Raigam Korale | HH | Welikala |
| Ward No. 18—Gungomuwa of the Munwattebage Pattu West Village Council area comprising Gungomuwa village in Raigam Korale and Ward No. 19—Bellantuduwa of the Munwattebage Pattu West Village Council area comprising Bellantuduwa and Okanduwa villages in Raigam Korale | II | Gungomuwa |
| Ward No. 3—Paragastota of the Munwattebage Pattu West Village Council area comprising Paragastota village and Milleniya Estate in Raigam Korale and Ward No. 4—Raddegoda of the Munwattebage Pattu West Village Council area comprising Raddegoda village in Raigam Korale | JJ | Paragastota |
| Ward No. 5—Milleniya of the Munwattebage Pattu West Village Council area comprising Milleniya, Ketagoda, Beddelgoda and Daminganuwa villages in Raigam Korale and Ward No. 6—Arakagoda of the Munwattebage Pattu West Village Council area comprising Arakagoda, Rammenike villages and Milleniya Estate and Milleniya Division (Neuchatel Group) in Raigam Korale | KK | Milleniya |

3-238/3

THE CEYLON (PARLIAMENTARY ELECTIONS) ORDER IN COUNCIL, 1946

Electoral District No. 28—Panadura

IT is hereby notified for general information that in view of the Order of the Minister of Local Government and Housing made under sections 5, 6 and 14 of the Urban Councils Ordinance (Chapter 255), and section 84 of the Local Authorities Elections Ordinance (Chapter 262), and published in *Gazette Extraordinary* No. 13,124 of 17th May, 1962, the particulars set out in the Schedule hereto should be substituted for the particulars set out in respect of Polling Districts 'I', 'J', 'K', 'L', 'M' and 'N' of the above Electoral District, in the Schedule to the Notice under section 10 (3) of the Ceylon (Parliamentary Elections) Order in Council, 1946, published in *Gazette Extraordinary* No. 12,506 of 5th July, 1961.

Elections Office,
Kalutara, February 15, 1963.

P. H. V. DE SILVA,
Assistant Registering Officer
for Electoral District No. 28—Panadura.

"SCHEDULE

| Polling District | Letter or Letters assigned | Area within which the Polling Station or Stations will be situated |
|---|----------------------------|--|
| Ward No. 2—Pattiya of the Panadura Urban Council area in Panadura Totamune | I | Ward No. 2—Pattiya |
| Ward No. 3—Pattiya North of the Panadura Urban Council area in Panadura Totamune | J | Ward No. 3—Pattiya North |
| Ward No. 4—Uyankelle, and part of Ward No. 5—Moderawila and part of Ward No. 8—Wekada North of the Panadura Urban Council area in Panadura Totamune | K | Ward No. 4—Uyankelle |
| Ward No. 6—Nalluruwa, and part of Ward No. 5—Moderawila of the Panadura Urban Council area in Panadura Totamune | L | Ward No. 6—Nalluruwa |
| Ward No. 7—Wekada, and part of Ward No. 8—Wekada North of the Panadura Urban Council area in Panadura Totamune | M | Ward No. 7—Wekada |
| Ward No. 9—Udahamulla, and part of Ward No. 8—Wekada North of the Panadura Urban Council area in Panadura Totamune | N | Ward No. 9—Udahamulla |

3-238/4

CORRECTION

THE errors specified hereunder occur in the notices under section 10 (3) of the Ceylon (Parliamentary Elections) Order in Council, 1946, published in the *Ceylon Government Gazette Extraordinary* No. 13,439 of 18.12.1962, and No. 13,447 of 24.12.1962, and the notices should be read with the following corrections:—

"Ceylon Government Gazette Extraordinary" No. 13,439 of 18.12.1962

- (1) In the notice relating to Electoral District No. 13—Ja-ela—
 - (a) In the descriptions of Polling Districts 'A', 'B', 'C', 'E' and 'J' "Headman's" should be read as "Headmen's".
- (2) In the notice relating to Electoral District No. 14—Mahara—
 - (a) In the description of the area within which Polling Station or Stations will be situated for Polling District 'B' "Kenealiyaddapaluwa" should be read as "Kendaliyaddapaluwa".
- (3) In the notice relating to Electoral District No. 20—Moratuwa—
 - (a) In the description of Polling District 'C' "Headmen's" should be read as "Headman's", "549" should be read as "549 (Part)" and "551" should be read as "551 (Part)".
 - (b) In the description of Polling District 'R' "(Moratuwella and Digarolla (Part))" should be read as "(Moratuwella and Digarolla (Part))".
 - (c) In the description of Polling District 'S' "(Moratuwella and Digarolla (Part))" should be read as "(Moratuwella and Digarolla (Part))" and "533 (Part)" should be read as "553 (Part)".
- (4) In the notice relating to Electoral District No. 21—Kesbewa—
 - (a) In the description of Polling District 'B' "531" should be read as "531 (Part)".
 - (b) In the description of Polling District 'I' "54 (Part)" should be read as "543 (Part)".
 - (c) In the description of Polling District 'Q' "506" should be read as "566".

“ Ceylon Government Gazette Extraordinary ” No. 13,447 of 24.12.1962

- (5) In the notice relating to Electoral District No. 6—Negombo—
(a) In the description of Polling District ‘ F ’ “ Portutota ” should be read as “ Porutota ”.
- (6) In the notice relating to Electoral District No. 7—Katana—
(a) In the description of Polling District ‘ EE ’ “ Mutwadiya ” should be read as “ Mutuwadiya ”.
- (7) In the notice relating to Electoral District No. 8—Divulapitiya—
(a) In the description of Polling District ‘ N ’ “ 50A ” should be read as “ 58A ”.
(b) In the description of Polling District ‘ Z ’ “ (Kelepitimulla and Sayakkara)” should be read as “ (Kelepitimulla and Sayakkaramulla) ”.
- (8) In the notice relating to Electoral District No. 9—Mirigama—
(a) In the description of Polling District ‘ T ’ “ (Bolana and Mallehena) ” should be read as “ (Bolana and Mallehewa) ”.
- (9) In the notice relating to Electoral District No. 10—Minuwangoda—
(a) In the description of Polling District ‘ T ’ “ (Raththanduwana) ” should be read as “ (Paththanduwana) ”.
- (10) In the notice relating to Electoral District No. 11—Attanagalla—
(a) In the description of Polling District ‘ EE ’ “ (Palkumbura Uduganella and Welikadamulla) ” should be read as “ (Palkumbura, Uduganella and Welikadamulla) ”.
- (11) In the notice relating to Electoral District No. 12—Gampaha—
(a) In the description of Polling District ‘ V ’ “ (Bendyamulla (Part) and Kidagamulla) ” should be read as “ (Bendiyamulla (Part) and Kidagamulla) ”.
(b) In the description of Polling District ‘ HH ’ “ (Embraluwa) ” should be read as “ (Embaraluwa) ”.

G. P. TAMBAYAH,
Registering Officer, Electoral District No. 6—Negombo, No. 7—Katana,
No. 8—Divulapitiya, No. 9—Mirigama, No. 10—Minuwangoda,
No. 11—Attanagalla, No. 12—Gampaha, No. 13—Ja-ela, No. 14—
Mahara, No. 20—Moratuwa, and No. 21—Kesbewa.

The Kachchehi,
Colombo, February 8, 1963.

3-238/5

Miscellaneous Departmental Notices

THE CEYLON STATE MORTGAGE BANK

AT a meeting held on February 6, 1963, the Board of Directors of the Ceylon State Mortgage Bank resolved specially and unanimously—

- (a) that a sum of Rs. 3,902.94 is due from Messrs. Rajapakse Mudiyansele Kiri Banda and Pathirannehelage Puchi Banda Pathirana, both of Burunnawa, Nelundeniya, on account of principal and interest up to January 28, 1963, and further interest at 5½ per centum per annum on the sum of Rs. 3,742.09, from January 29, 1963, till date of payment on Bond No. 3496, dated May 13, 1960, attested by R. E. de S. Jayasundera, N. P.;
- (b) in terms of section 62 (1) of the Ceylon State Mortgage Bank Ordinance (Cap. 398 of Legislative Enactments of 1956), that Mr. W. L. Maurice Fernando, Auctioneer of Kurunegala, be authorised and empowered to sell by public auction—

All those two contiguous allotments of land marked lots 1 and 1A, depicted in Survey Plan No. 1983, dated January 21, 1960, made by J. Vincent Perera, Licensed Surveyor, of the land called Gallindahenewatta, together with the trees and plantations thereon, situated in the village Talwatta in Dambadeni Udugaha Korale South of Dambadeni Hatpattu in the District of Kurunegala, North-Western Province; containing in extent three acres two roods and twenty perches (3A. 2R. 20P.), according to the said Plan No. 1983 mortgaged to this Bank as security by Messrs Rajapakse Mudiyansele Kiri Banda and Pathirannehelage Puchi Banda Pathirana, both of Burunnawa, Nelundeniya, by Bond No. 3496 dated May 13, 1960, attested by R. E. de S. Jayasundera, N. P., for the recovery of the sum of Rs. 3,902.94 due under the said bond together with interest at 5½ per cent per annum on the sum of Rs. 3,742.09, from

January 29, 1963, to date of sale and costs and monies recoverable under section 63 of the State Mortgage Bank Ordinance.

T. VICTOR FERNANDO,
Manager,
Ceylon State Mortgage Bank.

Colombo, February 15, 1963.
3-1012

THE CEYLON STATE MORTGAGE BANK

AT a meeting held on September 11, 1962, the Board of Directors of the Ceylon State Mortgage Bank resolved specially and unanimously—

- (a) that a sum of Rs. 18,911.85 is due from Messrs. Imiyage Don Daniel Singho and Imiyage Don Seedin Singho, both of Godaporagahahena, Palatota, Kalutara, on account of principal and interest up to August 20, 1962, and further interest at 6 per centum per annum on the sum of Rs. 17,240.37 from August 21, 1962, till date of payment on Bond No. 492, dated June 27, 1960, attested by M. T. Gunawardena, N. P.;
- (b) in terms of section 62 (1) of the Ceylon State Mortgage Bank Ordinance, that Mr. H. C. Rodrigo, Auctioneer of Kalutara, be authorised and empowered to sell by public auction—

(1) All that allotment of land marked lot A depicted in Survey Plan No. 1495, dated August 20, 1945, made by W. A. Silva, Licensed Surveyor, of the land called Godaporagahahena, together with the trees, plantations and everything thereon, situated at Palatota, in Kalutara Badda of Kalutara Totamune in the District of Kalutara, Western Province; containing in extent two roods and twenty-four decimal nine perches (0A. 2R. 24.9P.), according to the said Survey Plan No. 1495,

(2) All that allotment of land marked lot B depicted in the said Survey Plan No. 1495 of the land called Godaporagahahena, together with the building, trees, plantations and everything standing thereon, situated at Palatota, aforesaid containing in extent one acre, one rood and nine decimal eight perches (1A. 1R. 9.8P.), according to the said Survey Plan No. 1495, mortgaged to this Bank as security by Messrs. Imiyage Don Daniel Singho and Imiyage Don Seedin Singho, both of Godaporagahahena, Palatota, Kalutara, by Bond No. 492, dated June 27, 1960, attested by M. T. Gunawardena, N. P., for the recovery of the sum of Rs. 18,911.85 due under the said bond, together with interest at 6 per cent per annum on the sum of Rs. 17,240.37, from August 21, 1962, to date of sale and costs and monies recoverable under section 63 of the State Mortgage Bank Ordinance (Cap. 398 of Legislative Enactments of 1956).

T. VICTOR FERNANDO,
Manager,
Ceylon State Mortgage Bank.

Colombo 7, February 14, 1963.

3-1014

THE CEYLON STATE MORTGAGE BANK

AT a meeting held on September 25, 1962, the Board of Directors of the Ceylon State Mortgage Bank resolved specially and unanimously—

- (a) that a sum of Rs. 54,653.10 is due from Mrs. Gilby Juliana Chrispeyn Rajapakse (*nee* Peiris) of "Gilsten", Ekala, Ja-ela, on account of principal and interest up to August 30, 1962, and further interest at 5½ per centum per annum on the sum of Rs. 48,815.03, from August 31, 1962, till date of payment on Bond No. 253, dated July 6, 1959, attested by M. T. Gunawardena, Notary Public;

- (b) in terms of section 62 (1) of the Ceylon State Mortgage Bank Ordinance (Cap. 398 of Legislative Enactments of 1956), that Mr. A. M. Marzuk, Auctioneer of Colombo, be authorised and empowered to sell by public auction—

(1) All that lot marked 2 in Plan No. 1415, dated August 28, 1942, made by D. E. J. R. de Vaz, Licensed Surveyor, being a divided portion from and out of all that estate and property called and known as Straatenwyk Estate, together with the trees, plantations and buildings standing thereon, situated at Ekala, in the Ragam Pattu of Alutkuru Korale in the District of Colombo, Western Province; and containing in extent eight acres and twenty-four perches (8A. 0R. 24P.), according to the said survey Plan No. 1415.

(2) All that lot marked 3 in the said Plan No. 1415 being a divided portion from and out of all that estate and property called and known as Straatenwyk Estate, together with the trees, plantations and everything thereon, situated at Ekala aforesaid; containing in extent three acres one rood and twelve perches (3A. 1R. 12P.), according to the said Plan No. 1415.

(3) All that lot marked 4 in the said Plan No. 1415, being a divided portion from and out of all that estate and property called and known as Straatenwyk Estate, together with the trees, plantations and everything thereon, situated at Ekala aforesaid; containing in extent seven acres (7A. 0R. 0P.), according to the said Plan No. 1415, and

(4) All that lot marked 5 in the said Plan No. 1415, being a divided portion from and out of all that estate and property called and known as Straatenwyk Estate, together with the trees, plantations and everything thereon, situated at Ekala, aforesaid containing in extent seven acres two roods and four perches (7A. 2R. 4P.) according to the said Plan No. 1415, mortgaged to this Bank as security by Mrs. Gilby Juliana Chrispeyn Rajapakse (*nee* Peiris) of "Gilsten", Ekala, Ja-ela, by Bond No. 253, dated July 6, 1959, attested by M. T. Gunawardena, Notary Public, for the recovery of the sum of Rs. 54,653.10, due under the said bond together with interest at 5½ per cent per annum on the sum of Rs. 48,815.03 from August 31, 1962, to

date of sale and costs and monies recoverable under section 63 of the State Mortgage Bank Ordinance (Cap. 398 of Legislative Enactments of 1956).

T. VICTOR FERNANDO,
Manager,
Ceylon State Mortgage Bank.

Colombo, February 15, 1963.

3-1013

IMPORT CONTROL NOTICE No. 12/63

Drugs

IT is hereby notified for general information that in the Import Control Notice No. 9/63, published in *Gazette Extraordinary* No. 13,528 of February 19, 1963:—

1. the item 'POLYTAMIN' (page 300, column 2) should be deleted.
2. the item 'SOREN' (page 300, column 1) should be deleted.
3. the item 'ALGAPHAN' (page 290, column 2) should read as 'ALGAPHAN INJECTION'.
4. the item 'STIPVEN' (page 291, column 2) should read as 'STYPVEN'.
5. the item 'SERPATIN' (page 293, column 1) should read as 'SERPETIN'.
6. the item 'UROPYRIDIL' (page 293, column 1) should read as 'UROPYRIDIN'.
7. the item 'TYMPALGRIN EAR DROPS' (page 300, column 1) should read as 'TYMPALGIN EAR DROPS'.

C. MYLVAGANAM,
Controller of Imports and Exports.

Colombo, March 4, 1963.

3-404

THE MORTGAGE ACT

BY virtue of the powers vested in me by sections 3 (c) and 114 (2) of the Mortgage Act (Chapter 89), I, Ginige Richard Walter de Silva, Director of Commerce, do by this notification declare the Ceylon Finance and Securities Limited, to be an approved credit agency for the purposes of that Act.

G. R. W. DE SILVA,
Director of Commerce.

Colombo, February 22, 1963.

3-216

NOTICE

NOTICE is hereby given that the area declared infected in the Divisional Revenue Officer's Division of Walgampattu Korale in Kurunegala district of the North Western Province, in accordance with the provisions of the Contagious Diseases (Animals) Ordinance (Amendment) Act, No. 33 of 1957, section 4, sub-section 1 (Chapter 470) and published in *Government Gazette* No. 13,515 of 8.2.63 is free of "Foot and Mouth" disease and is no longer an infected area.

This declaration shall take effect from the date hereof.

ABEYARATNE BANDARANAYAKE,
Chief Govt. Veterinary Surgeon.

Office of the Chief Government
Veterinary Surgeon,
Peradeniya. 2nd March, 1963.

3-348

NOTICE

NOTICE is hereby given that the area declared infected in the Divisional Revenue Officer's Division of Nuwaragam Palatha East in Anuradhapura district of the North-Central Province, in accordance with the provisions of the Contagious Diseases (Animals) Ordinance (Amendment) Act, No. 33 of 1957, section 4, sub-section 1 (Chapter 470) and published in *Government Gazette* No. 13,407 of 30.11.62, is free of "Foot and Mouth" disease and is no longer an infected area.

This declaration shall take effect from the date hereof.

ABEYARATNE BANDARANAYAKE,
Chief Government Veterinary Surgeon.

Office of the Chief Government Veterinary Surgeon,
Peradeniya, 2nd March, 1963.

3-347

CHOLERA—CUDDALORE PORT

CUDDALORE Port is infected with Cholera. Apart from the usual requirements of immunization against Cholera in the case of passengers arriving in Ceylon from the above Port the landing at any Port in Ceylon of any fresh fish, shell fish, vegetables, fruits, jaggery, muscat (or any other article of food likely to convey cholera infection) shipped from Cuddalore Port is prohibited.

2. A further press notice will follow when the above port is cholera free.

Director,
Quarantine Department.

Quarantine Office,
Colombo, 2nd March, 1963.
3—341

INTERRUPTION TO TRAFFIC—RAIGAMA-ANGURUWATOTA ROAD—KALUTARA DISTRICT

IT is hereby notified for the information of the general public that the section of Raigama-Angurawatota road between 4th and 7th miles will be closed for through traffic until further notice from 11.3.63 for reconstruction of bridge No. 6/2. The alternate route is via Yalgala-Wewala Horana-Aluthgama and Kirimetiya-Yala roads.

C. M. PERERA,
for Director of Public Works.

Public Works Office,
Colombo 1, 28th February, 1963.
3—355

INTERRUPTION TO TRAFFIC

Kotte-Bope Road—Colombo South District

IT is hereby notified for the information of the general public that the closure of the section of Kotte-Bope road from Battaramulla junction to Koswatte junction is extended to traffic up to 16.3.1963.

The alternative route will be via Welikada and Kalapaluwawa.

A. C. PERERA,
for Director of Public Works.

Public Works Office,
Colombo, February 28, 1963.
3—356

DRIFT STATION UNDER THE FOREST ORDINANCE

IT is hereby notified in terms of section 30 (2) of the Forest Ordinance Cap. 451 of the New Legislative Enactments (1956) that the Timber Demonstration and Sales Centre, Urugodawatta, shall be a station for the reception of Drift timber.

M. NAMASIVAYAM,
Senior Assistant Conservator of Forests.

Office of the Conservator of Forests,
Colombo 2, March 2, 1963.

3—423

RENEWAL OF APPROVAL OF TEXT BOOKS

AUTHORS and publishers are hereby notified that all text books the approval of which expires on 31.12.63 should be submitted to this office before 31.3.63 for consideration for re-approval and inclusion in the approved list of text-books for the year 1964. They are further informed that all textbooks, the approval of which expires at the end of a particular year, should be submitted for re-approval prior to 31 March of each such year.

2. Under no circumstances will books submitted for re-approval after 31 March of any year be included in the list of approved text-books which normally is published at the end of each calendar year.

3. It should further be noted that this Board will not hold itself responsible for the non-inclusion of any book in the approved list due to unavoidable circumstances, such as the delay in its approval, irrespective of the fact that the book has been submitted for re-approval before 31 March.

4. Text-books prescribed for use in schools during the ensuing year are normally included in the list of approved text-books which is published at the end of the year. The attention of publishers is therefore drawn to the requirement that all books should be submitted before the prescribed date for obtaining the necessary approval.

BERTY JAYASURIYA,
Secretary,

Educational Publications Advisory Board.

Educational Publications Advisory Board,
Malay Street,
Colombo 2, March 4, 1963.

3—402

The "Ceylon Government Gazette" is published every Friday. Day of publication is subject to alteration in any week where Public Holidays intervene.

All Notices and Advertisements should reach the Government Printer, Government Press, Colombo, by 3.30 p.m. four working days previous to day of publication (i.e., normally 3.30 p.m. on Monday).

Subscriptions for the "Government Gazette" should be paid direct to the Superintendent, Government Publications Bureau, Secretariat, Colombo. The Government Printer does not accept subscriptions for the "Gazette".