

வணிக சமூக சிவலக
தொழிற்சங்க நூற்றாண்டு
TRADE UNION CENTENARY
IN SRI LANKA

1893—
1993





වෘත්තීය සමිති සියවස

தொழிற்சங்க நூற்றாண்டு

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Worker Educators' Association of Sri Lanka

No. 7, Circular Road,

Mt. Lavinia,

Sri Lanka.

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ශ්‍රී ලංකාවේ වෘත්තීය සමිති ගත සංවත්සරය සැමරීම අරභයා මෙම ග්‍රන්ථය පළ කිරීමට හැකිවීම පිළිබඳ ශ්‍රී ලංකාවේ සේවක අධ්‍යාපන කාරකයින්ගේ සංගමය ආධාරයෙන් වේ. මෙම ප්‍රකාශනයෙහි අරමුණ වන්නේ පසුගිය ගත වර්ෂය තුළ ශ්‍රී ලංකාවේ වෘත්තීය සමිති ඉතිහාසය, විකාශය සහ අත්දැකීම් පිළිබඳ තොරතුරු සිද්ධත් සැපයීමයි. එය ශ්‍රී ලංකාවේ වෘත්තීය සමිති සහ අධ්‍යාපනය පිළිබඳ උනන්දුවක් දක්වන පාඨකයින්ට ප්‍රයෝජනවත් වනු ඇතැයි යන්න අපගේ අපේක්ෂාවයි.

මෙම ප්‍රකාශනයට දයක වී ඇති වැඩි දෙනෙකු වෘත්තීය සමිති කටයුතු සහ අධ්‍යාපනය හා සෘජුවම සම්බන්ධ පුද්ගලයින් බැවින්, මෙම ග්‍රන්ථය ශ්‍රී ලංකාවේ වෘත්තීය සමිති ක්ෂේත්‍රයට අදාළ අත්දැකීම් පිළිබඳ තොරතුරු ලබාගත හැකි අගනා මූලාශ්‍රයක් වනු ඇතැයි අපි අදහස් කරමු. සමස්ත වෘත්තීය සමිති ක්ෂේත්‍රය තුළ ශීඝ්‍ර වෙනස්වීම් සිදුවෙමින් පවතින අවධියක, වෘත්තීය සමිති විසින් පසුගිය ගත වර්ෂය තුළ රටේ අභිවෘද්ධිය සඳහා කෙසේ දයක වී ඇත්දැයි සමාලෝචනය කිරීම වෘත්තීය සමිති ගත සංවත්සරය සමරන මේ මොහොතේ කාලෝචිත යයි අපි අදහස් කරමු.

වෘත්තීය සමිති සියවස් උළෙල සාර්ථක කරගනු වස් ජාත්‍යන්තර කම්කරු සංවිධානය විසින් දෙන ලද නොමඳ සහායට ශ්‍රී ලංකාවේ අධ්‍යාපනකාරකයින්ගේ සංගමය සිය කෘතඥතාව පුද කරයි.

එසේම, මෙම සංග්‍රහයට ලිපි සැපයූ ලේඛකයන්ට ද, මෙම ප්‍රකාශනය එළි දැක්වීමට තත් අසුරින් උපකාරී වූ විද්‍යාලාකාර මුද්‍රණාලයායිපති ඇතුළු සෙසු අයට ද අපගේ කෘතඥතාව හිමි වේ.

ඩී. වෙසුම්පෙරුම

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ශ්‍රී ලංකා සේවක අධ්‍යාපනකාරකයින්ගේ සංගමය

இலங்கைத்தொழிற்சங்க இயக்கத்தின் நூற்றாண்டு நிறைவைக் குறிக்குமுகமாக இந்நூலினைப் பிரசுரிப்பதில் இலங்கைத்தொழிலாளர் கல்வியாளர் கழகம் பெருமிதம் கொள்கின்றது. இலங்கைத் தொழிற்சங்கங்கள் பற்றிய கடந்த ஒரு நூற்றாண்டு கால வரலாறு, பரிணாமம் மற்றும் அவற்றின் அனுபவங்கள் சிலவற்றைப் பற்றிய தகவல்களை வழங்குவதே இப்பிரசுரத்தின் பிரதான குறிக்கோளாகும். இலங்கையின் தொழிற்சங்கவியல் மற்றும் தொடர்பான கல்வி விவகாரங்களில் ஆர்வமிக்க வாசகர்கள் இதன் மூலம் நன்மையடைவார்கள் என்பதே எமது அவாவாகும்.

இந்நூலுக்கு ஆக்கங்களை வழங்கியோர்களில் அனேகமானோர் தொழிற்சங்க நடவடிக்கைகளிலும் அதேபோல் தொழிற்சங்கக்கல்வி துறையிலும் நேரடியான ஈடுபாடு கொண்டவர்களாதலால் இலங்கைத் தொழிற்சங்கவியல் தொடர்பான அனுபவங்கள் பற்றிய தகவல்களுக்கான சிறந்த மூலமாக இப்பிரசுரம் அமையும் என நான் நம்புகின்றேன். தொழிற்சங்க இயக்கமானது முழுமையான அளவில் தீவிர மாற்றங்களுக்கு உட்பட்டு வரும் இக்காலகட்டத்தில், கடந்த ஒரு நூற்றாண்டு காலமாக தொழிற்சங்கங்கள் நாட்டிற்கு வழங்கிய பங்களிப்பினைப் பற்றி மீட்டுப்பார்ப்பது மிகவும் பொருத்தமான ஒன்றாகும்.

தொழிலாளர் கல்வியாளர் கழகம், இலங்கைத் தொழிற்சங்க இயக்கத்தின் நூற்றாண்டு நிறைவினைச் சிறப்பாகக் கொண்டாடுவதற்குப் பலவகையிலும் உதவிபுரிந்த சர்வதேச தொழிற்தாபன (ஐ எஸ் ஒ) த்திற்கு தனது மனமார்ந்த நன்றியைத் தெரிவித்துக் கொள்கின்றது.

மேலும் இந்நூலிற்குச் சிறப்பான ஆக்கங்களை வழங்கியவர்களுக்கும் இப்பிரசுரம் சிறப்பாக வெளிவரக்காரணமாக இருந்த வித்தியாலங்கார பிரகராலயத்திற்கும் மற்றும் ஏனையோருக்கும் கழகம் தனது நன்றியைத் தெரிவித்துக் கொள்கின்றது.

1. வெசும்பெரும

தலைவர்

இலங்கைத் தொழிலாளர் கல்வியாளர் கழகம்.

FOREWORD

The Worker Educators' Association of Sri Lanka is proud of publishing this book in order to commemorate the 100 years of Trade Unionism in Sri Lanka. The aim of this publication is to provide some information in respect of the history, the evolution and some experiences of Trade Unions in Sri Lanka in the past century. It is our intention that it would be beneficial for the readers who are interested in the Trade Unionism and Education in Sri Lanka.

As many of the contributors to this publication are directly involved in trade union activities as well as education, I hope this would be a valuable source of information with regard to experiences in the field of Trade Unionism in Sri Lanka. At a time of rapid changes taking place in the whole sphere of Trade Unionism, it is timely for us to review what trade unions have contributed to the country in the past century at this important event of commemorating the Trade Union Centenary in Sri Lanka.

The Worker Educators' Association of Sri Lanka acknowledges with gratitude the assistance rendered by the International Labour Organisation (ILO) to make the Centenary Celebrations of Trade Unionism in Sri Lanka a success.

Also we would wish to extend our sincere thanks to the writers who have contributed articles and to others, including the Vidyalandara Press, who have helped us to bring out this publication.

D. Wesumperuma

President

Worker Educators' Association of Sri Lanka.

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සම ලේකම්

ලංකා කම්කරු සමිති මධ්‍ය මණ්ඩලය

ආදිකල්පිත මිනිස් සමාජයේ ජනගහනය වැඩිවීමෙන් ආහාර වගාව, සත්වපාලනය, ඛණිජ සම්පත් සොයා ගැනීම නිසා බඩු හුවමාරු ක්‍රමයක් ඇති විය. නිෂ්පාදනය හා අලෙවිය වැඩි වෙත්ම ස්වකීය ශ්‍රමය විකුණා පිටත් වන මිනිසුන් ක්‍රමයෙන් වැඩ වූ නිසා ඔවුන්ගේ ජීවනෝපාය සඳහා ලැබුණු වෙනත ප්‍රමාණවත් නොවූයෙන් ස්වාමි පක්ෂය සමග සිය අයිතිවාසිකම් සම්බන්ධව සාකච්ඡා කර ඒවාට විසඳුම් ලබා ගැනීමට ඔවුහු සංවිධාන පිහිටුවා ගත්හ. එකල ශ්‍රී ලංකාව බ්‍රිතාන්‍ය අධිරාජ්‍යවාදීන්ගේ යටත් විජිතයක්ව පැවති නිසා වෘත්තීය සමිති සඳහා නායකත්වය දීමට කිසිවෙක් ඉදිරිපත් නොවීය.

1893 සැප්තැම්බර් මස කොළඹ කේවි සහ සමාගමේ මුද්‍රණ කම්කරුවන් ඔවුන්ට ගෙවීමට නියමිත වැටුප් ගෙවීම ප්‍රමාදවීම නිසා ඇති වූ ආරාධුලෙන් ලංකාවේ ප්‍රථම වැඩ වර්ජනය ආරම්භ විය. බුල්ජන්ස් සහ ලිස්බෝ පින්තු යන නායකයන් එම වැඩ වර්ජනයට නායකත්වය දෙන ලදී.

1896 ජූලි මස කුරුණෑගල මස් කඩකාරයින්ගේ වැඩ වර්ජනය, 1897 ලංකා බයිසිකල් වැඩපලේ වැඩවර්ජනය, 1898 වරායේ සේවය කළ කම්කරුවන්ගේ වැඩවර්ජනය ආදිය ද පැවති ඇත.

කරත්තකරුවන්ට අභිනතර නගරසභා ආඥපනතකට විරුද්ධව 1906 වර්ෂයේ කරත්තකරුවන්ගේ වැඩ වර්ජනයක් පැවැතීම නිසා භාණ්ඩ ප්‍රවාහනය සම්පූර්ණයෙන්ම අඩපන විය.

1919 වර්ෂයේ ආණ්ඩුවේ කර්මාන්ත ශාලාවේ කම්කරුවන් පැය 08 ක වැඩ කරන දිනයක් ඉල්ලා කරන ලද වැඩවර්ජනයෙන් පසුව 1922 වර්ෂයේදී ඒ. ඊ. ගුණසිංහ මහතාගේ නායකත්වයෙන් ලංකා කම්කරු සංගමය ආරම්භ කරන ලදී.

1923 පෙබරවාරි මස ආරම්භ වූ මරදන දුම්රිය යන්ත්‍රාගාරයේ කම්කරුවන් ගේ වැඩ වර්ජනය ව්‍යාප්ත වෙමින් වරාය, වැල්ලවත්ත රෙදි මෝල, කොළඹ ඉංජිනේරු සමාගම, කයලයෝධක කම්කරුවන් ද අදාල වැඩ වර්ජනයට සම්බන්ධ වීම නිසා ප්‍රවණ්ඩකාරී තත්වයක් ඇති විය.

1920 සහ 1923 වර්ෂවල වැඩ වර්ජන බහුලව කෙරී ඇත. 1926 දෙමසක් පැවති වැල්ලවත්තේ රෙදි මෝලේ වැඩ වර්ජනයත් 1927 ඇති වූ වරාය සේවකයන්ගේ වැඩ වර්ජනයත් විශේෂිත සිද්ධි වේ.

ජී. ඩී. ගුණසිංහ මහතාගේ නායකත්වය අපේක්ෂා කළ විවිධ සේවක කණ්ඩායම් විසින් දැරිපත් කරන ලද කාටත් පිළිගත හැකි නිශ්චිත කරුණු කීපයක් පදනම් කරගෙන 1926 වර්ෂයේදී ලංකා කම්කරු සම්මේලනය ආරම්භ විය. 1931 වර්ෂයෙන් පසු දේශපාලනයේ සිදු වූ වෙනස්වීම් නිසාත් සර්වජන ඡන්ද බලය ලැබීම නිසාත් ශ්‍රී ලංකාවේ වෘත්තීය සමිති ව්‍යාපාරයේ අමුතු පරිවර්තනයක් ඇති විය. 1893 සිට ගෙන ගිය විවිධ සටන් හා උද්ඝෝෂණ තුළින් එලදැඩි ජයග්‍රහණ කීපයක් අත් කර ගත්තේය. එම සටන්වල ප්‍රතිඵලයක් වශයෙන් එවකට බ්‍රිතාන්‍ය අධිරාජ්‍යවාදීන්ගේ යටත් විජිතයක් වූ ශ්‍රී ලංකාවේ කාර්මික අර්බුද පනත සම්මත වීමෙන් පසු කම්කරු ව්‍යාපාරයට නව පන්තරයක් ලැබුණි.

1931 වර්ෂයේ ඇති වූ ටයිම්ස් ඔෆ් සිලෝන් සමාගමේ වැඩ වර්ජනයෙන් පසු ගුණසිංහ මහතාගේ නායකත්වය කෙරෙහි කම්කරු පන්තියේ කලකිරීම් ඇති වී ඔහුට පසුබෑමට සිදු විය.

යුරෝපීය රටවල සහ චීනාගේ වැනි නගරවල කම්කරු සටන් මෙහෙයවා බ්‍රිතාන්‍ය අධිරාජ්‍යවාදයට විරුද්ධ සටන බ්‍රිතාන්‍යයෙන්ම පටන්ගෙන ජගත් කීර්තියට පත්වූ දිවා-ගත පිලිප් ගුණවර්ධන මහතා 1932 නොවැම්බර් මස පළමුවෙනිද ශ්‍රී ලංකාවට පැමිණීමෙන් පසු විදේශීය රටවල අධ්‍යාපනය ලබා මාක්ස්වාදය පිළිබඳ ප්‍රායෝගික අත්දැකීම් හා අවබෝධය ලබා ශ්‍රී ලංකාවට පැමිණි ආචාර්ය එන්. එම්. පෙරේරා, දොස්තර වික්‍රමසිංහ සහ කොල්වින් ආර් ද සිල්වා වැනි තරුණ නායකයෝ පිලිප් ගුණවර්ධන මහතාගේ මෙහෙය වීම යටතේ මාක්ස්වාදී පදනමකින් යුතුව මාක්ස්වාදී ව්‍යාපාරයට නැඹුරු වූ වෘත්තීය සමිති ව්‍යාපාරයකට අවතීර්ණ වූහ.

පිලිප් ගුණවර්ධන මහතාගේ මෙහෙයවීමෙන් එම තරුණ වාමාංශිකයන් සමග ප්‍රථමයෙන් ආරම්භ කරන ලද වාමාංශික වෘත්තීය සමිතිය වන වැල්ල-වත්ත රෙදි මෝලේ කම්කරු සමිතිය 1933 ආරම්භ කර වර්ෂයක් ගතවීමටත් ප්‍රථමයෙන් දියත් කළ වැඩ වර්ජනයට කම්කරුවන් 1500 ක් පමණ සහභාගී විය. එම සටන මාස දෙකක් පමණ දිග් ගැසෙමින් පැවතුණි. සටන්කාමී ඉතිහාසයක් හිමි කරගෙන සිටි ජී. ඩී. ගුණසිංහ මහතා අදාල වැඩවර්ජනයට විරුද්ධව ක්‍රියා කළ අතර එම වැඩ වර්ජනය ශ්‍රී ලංකාවේ වෘත්තීය සමිති ව්‍යාපාරය ජාත්‍යන්තර වෘත්තීය සමිති ව්‍යාපාරය හා සම්බන්ධකම් ඇති කර ගැනීමට දැමූ මූලික අඩිතාලම විය.

පිලිප් ගුණවර්ධන මහතා ප්‍රමුඛ වාමාංශිකයන් ගෙන ගිය සටන් හා උද්ඝෝෂණ තුළින් 1935 නොවැම්බර් මස සිට ක්‍රියාත්මක වූ 1935 අංක 14 දරන වෘත්තීය සමිති ආඥාපනත රාජ්‍ය මන්ත්‍රණ සභාවේ සම්මත වීමෙන් පසු වෘත්තීය සමිති රජයේ ලියාපදිංචි කරන ලද සංස්ථා තත්ත්වයට පත්වීමෙන් වෘත්තීය සමිති රෙජිස්ට්‍රාර්වරයෙක් ද පත් කරන ලදී.

අදාල පනතේ විධිවිධාන අනුව ප්‍රථමයෙන් ලියාපදිංචි කළ වෘත්තීය සමිතිය ලංකා භාෂිපුත්‍රන්ගේ සංගමය වන අතර ප්‍රථමයෙන් ලියාපදිංචි කළ සේවක සංගමය ශ්‍රී ලංකා රියාදුරු සංගමයයි. මීට අමතරව 1936 වර්ෂයේ වෘත්තීය සමිති 27 ක් වෘත්තීය සමිති රෙජිස්ට්‍රාර්වරයාගේ කායභාලයේ ලියාපදිංචි කරන ලදී. අදාල වෘත්තීය සමිතිවල වැඩපිළිවෙල හා අරමුණ පිළිබඳව පිලිප් ගුණවර්ධන සහ ආචාර්ය එන්. එම්. පෙරේරා යන මහත්වරු රාජ්‍ය මන්ත්‍රණ සභාවේදී උද්දෝෂණ කර ඇත. එම ව්‍යාපාරය තුළින් වෘත්තීය සමිති ව්‍යාපාරය පළල් වශයෙන් විකාශනය වී පොදු ඉල්ලීම් ගණනක් දිනා ගැනීමට හැකි විය.

ඉන්දියානු සංක්‍රමික පනතින් ශ්‍රී ලංකාවට සංක්‍රමණය වී සිටි කම්කරුවන් සඳහා ඉන්දු ලංකා වතු සේවක සංගමය සහ ඉන්දු ලංකා කොන්ග්‍රස් සංගමය බිහිවීමෙන් අනතුරුව 1939 වර්ෂයේ බහවත්තලාව, කොට්ටල වත්තේ වතු කම්කරුවන්ගේ ප්‍රථම වැඩ වර්ජනය දියත් කරන ලදී.

1940 වර්ෂයේ එම කරුණ වාමාංශිකයන් ත්‍රිකාණ්ඩ අධිරාජ්‍යවාදීන් විසින් සිරභාරයට ගැනීම සහ 1942 වර්ෂයේ ආරම්භ වූ ලෝක සංග්‍රාමය හේතු කොට ගෙන වෘත්තීය සමිති කටයුතු ක්‍රමයෙන් අඩපණ විය.

ලෝක සංග්‍රාමය නිසා පාර්ලිමේන්තු භාණ්ඩවල මිල අධිකව වැඩිවීම නිසාත් රාජ්‍ය අංශයේ වෘත්තීය සමිති ආරම්භ වීමත් සමඟ කම්කරු ප්‍රශ්නද උග්‍ර වීම නිසාත් රාජ්‍ය සහ පුද්ගලික අංශයේ වෘත්තීය සමිති ඒකාබද්ධ වී 1947 මැයි මස වැඩ වර්ජනයක් දියත් කරන ලදී.

පිලිප් ගුණවර්ධන මහතාගේ නායකත්වයෙන් මෙහෙය වූ 1947 මහා වැඩ වර්ජනය ප්‍රචණ්ඩකාරී තත්ත්වයකට පත් විය. මෙම වැඩ වර්ජනයට රාජ්‍ය හා පුද්ගලික අංශ ද, රජයේ ලිපිකරු සේවා සංගමය ද සහභාගී වීම නිසා සාලන තත්ත්වය සහමුලින්ම අඩපණ විය. එම වැඩ වර්ජනයන්ගේ සහභාගීත්වයෙන් ගමන් කළ පෙළපාළියට දෙමටගොඩදී වෙඩි තැබීම නිසා කන්ද සාමි නමින් ලිපිකරු මහතෙක් මරණයට පත්විය. එවකට රජයේ ලිපිකරු සේවා සංගමයේ ප්‍රධාන සභාපතිව සිටි ඩී. ඩී. ඉලංගරත්න හා ලැස්ටන් අමරසේකර සහ තවත් රාජ්‍ය අංශයේ වෘත්තීය සමිති නායකයන් ගණනාවක් වැඩවර්ජනයක් කැඳවීම නිසා සේවයෙන් පහ කරන ලදී.

එම වැඩ වර්ජනයේදී සමස්ත ලංකා මෝටර් සේවක සමිතියට නායකත්වය දුන්නේ පිලිප් ගුණවර්ධන මහතා සහ වල්පොල රාහුල හිමියන් විසිනි. රත්මලානේ සවුත් වෙස්ටර්න් බස් සමාගමේ වැඩ වර්ජනය කඩාකප්පල් කිරීම සඳහා මැරවරයින් යෙදීමට විරුද්ධව අභිතව සටන් කළ පිලිප් ගුණවර්ධන මහතාට හා වල්පොල රාහුල හිමියන්ට එරෙහිව විභාග වූ නඩුවෙන් පිලිප් ගුණවර්ධන මහතාට වර්ෂ කීපයකට ප්‍රජා අයිතිවාසිකම් අහිමි කර පාර්ලිමේන්තු මන්ත්‍රී ධුරය ද අහෝසි කරන ලදී. මෙම වැඩ වර්ජනය ලාංකීය පෞරුෂය ව්‍යාපාරය සංකේතවත් වන අන්දමට ඉතිහාසය ගතවී ඇත.

1947 වැඩ වර්ජනයෙන් පසුව ලාංකීය කම්කරු පන්තිය ප්‍රමුඛ වෘත්තීය සමිති ව්‍යාපාරය අධිරාජ්‍ය විරෝධී අරගලය සහ ජාතික නිදහස් ව්‍යාපාරය පදනම් කරගෙන සිය වෘත්තීය සමිති මෙහෙයවන ලදී. ඒ තුළින් ලැබූ ජයග්‍රහණයන් 1956 මහජන එක්සත් පෙරමුණ ආණ්ඩුව පිහිටුවීමෙන් පසු පිළිප් ගුණවර්ධන, ටී. ඩී. ඉලංගරත්න වැනි ප්‍රගතිශීලී නායකයන් ගෙනගිය සටන් තුළින් ලැබූ ප්‍රායෝගික අත්දැකීම් නිසා වැඩ කරන ජනතාවට අයිතිවාසිකම් රැසක් ලබා ගැනීමට හැකි විය.

1956 අංක 47 දරන රැකියා සැලැස්මේ ව්‍යාපාර පනත, 1957 අංක 29 දරන වේතන සංශෝධන පනත, 1957 අංක 60 දරන වෙළඳ සැල් සේවක පනත, 1958 අංක 15 දරන අර්ථසාධක අරමුදල් පනත, 1956 අංක 37 දරන ස්ත්‍රී භාලයා සේවකයන් පිළිබඳ පනත, 1957 අංක 49 දරන රාජ්‍ය කාර්මික සංස්ථා පනත, කම්කරු විනිශ්චය සභා ආරම්භ කිරීම, සාමාජිකත්වය 40% සීමාව ඉක්මවා සාමාජිකත්වය නැති සමිති පිළිගැනීමේ ප්‍රතිපත්තිය අභ්‍යන්තර සාමාජිකයන් හත්දෙනෙකුගෙන් සමන්විත වෘත්තීය සමිතියක් පිළිගැනීම, මැයි දින නිවාඩු දිනයක් කිරීම, ආදී නීති මාලාවක් නීතිපොතට ඇතුළු කිරීම නිසා වරප්‍රසාද හා අයිතින් රැසක් වෘත්තීය සමිතිවලට හා වැඩ කරන ජනතාවට උරුම කර දුන් අතර වෘත්තීය සමිතිවල අයිතිය, එහි ආරක්ෂාව හා සංවිධානය වීමේ නිදහස ඇති වීමෙන් වෘත්තීය සමිති ව්‍යාපාරයේ පැවැත්මට පිටුවහලක් ලැබුණි.

1957 සහ 1958 වර්ෂවල සිදුවන වැඩ වර්ජන ගණන 600කට අධික වුවත් මහජන එක්සත් පෙරමුණ ආණ්ඩුවෙන් එම වර්ජකයන්ට කිසිම දඬුවම් දීමක් හෝ පිළිගැනීමක් සිදුකර නැත.

1963 සෙලින්කෝ මන්දිරයට රැස්වී කාටන් පොදුවේ බලපාන ඉල්ලීම් 21ක් පදනම් කරගෙන සකස් කළ ඉල්ලීම්වලට ආචාර්ය එන්. එම්. පෙරේරා මහතා 1964 දී මුදල් ඇමති ධුරයට පත්වීමෙන් පසු අදාළ ඉල්ලීම් මාලාව අමතක කර දැමීම සමහර වෘත්තීය සමිතිවලට අමතක වීම කණගාටුවට කරුණකි.

දෙමළ භාෂා විශේෂ විධිවිධාන පනත සම්මත කිරීමට විරෝධය පෑම සඳහා සමහර වෘත්තීය සමිති අනවශ්‍ය ලෙස මැදිහත්වීම නිසා 1966 ජනවාරි 08 වැනිදා දිගින් කරන ලද වැඩ වර්ජනයට සම්බන්ධවූ රාජ්‍ය සේවකයන්ට දින 08ක වැටුප් කපා දඬුවම් කරමින් අදාළ දඬුවම් කිරීමේ ලිපිය සේවක පුද්ගලික ලිපි ගොනුවලට ද යොමු කරන ලදී.

කැකැරෙමින් තිබූ ඉල්ලීම් ගණනාවක් පදනම් කරගෙන ලංකා බැංකු සේවක සංගමය 1972 සැප්තැම්බර් මස 01 වන දින දිගින් කළ වැඩ වර්ජනය එවකට මුදල් ඇමති ධුරය දරූ ආචාර්ය එන්. එම්. පෙරේරා මහතා සිය අතීත අත්දැකීම් සහ වැඩ කරන ජනතාවගේ අපේක්ෂාවන්වලට පටහැනි

අත්දමට අත්‍යවශ්‍ය සේවා රෙගුලාසි හා හදිසි නීති උපයෝගී කර ගනිමින් අදාල වැඩ වර්ජනය නීති විරෝධී කර කඩාකප්පල් කර දමා බැංකු සේවකයන් 300ක් පමණ සේවයෙන් පහකර, පැවති වැඩ වර්ජනය නිමාවී දින 108 ක් ගත වීමෙන් පසු වැඩට ගිය සේවකයන්ට ද විවිධ දඬුවම් පමුණුවන ලදී. ආචාර්ය ඇන්. ඇම්. පෙරේරා මහතා මුදල් ඇමති ධුරයෙන් ඉවත්වීමෙන් පසු මුදල් ඇමති ධුරයට පත් පීලික්ස් ඩයස් බණ්ඩාරනායක මහතා සේවයෙන් පහ කළ සේවකයන් නැවත සේවයේ ස්ථාපිත කර, අනිකුත් සේවකයින්ට කරන ලද දඬුවම් ඉවත් කර ඉල්ලීම් ගණනාවක් ලබාදීමට එකඟ විය.

ආචාර්ය ඇන්. ඇම්. පෙරේරා මුදල් ඇමතිව සිටි කාලයේ රාජ්‍ය කනිෂ්ඨ සේවකයන්ගේ රු. 12/- වූ වාර්ෂික වැටුප් වර්ධනය රු. 60/- දක්වා වැඩි කරන ලදී. සාමාන්‍ය ලිපිකාර සේවයේ II අ බණ්ඩයේ ලිපිකරුවන්ට විභාගයෙන් තොරව අවුරුදු 10 ක සේවා කාලයෙන් පසු II අ බණ්ඩයට උසස්වීම් ලබා ගැනීමටත් II අ බණ්ඩයේ ලිපිකරුවන් වර්ෂ 4 ක සේවා කාලයකින් පසු පවත්වනු ලබන විභාගයෙන් සමත් වුවහොත් (35% ක ලකුණු පදනම මත) ඔවුන්ට අවුරුදු 4 කින් II අ බණ්ඩයේ උසස්වීම් ලැබීමටත් අවස්ථාව ලැබුණි. ණය සහන සහා ඇති කිරීමේ නීතිරීති ද නීතිපොතට ඇතුළත් කළ අතර තවත් සුළු අයිතිවාසිකම් කීපයක් ඔහුගෙන් ලබා ගැනීමට ද හැකි විය.

එම ආණ්ඩුව තුළ 76 වර්ෂයේදී දුමරිය සේවකයින් දියත් කළ වැඩ වර්ජනය ද විශේෂ සිද්ධියකි.

රාජ්‍ය සේවකයින්ගේ නිවාඩු කප්පාදුවට එරෙහිව 1980 ජුනි මස 05 දින දියත් කළ උද්ඝෝෂණ ව්‍යාපාරයේදී එක්සත් ජාතික පක්ෂ ආණ්ඩුවේ මැරවරයින් යොදවා රජයේ සැපයුම් දෙපාර්තමේන්තුවේ සේවය කළ සෝමපාල සහෝදරයා ඝාතනය කරන ලද අතර, නිවාඩු කප්පාදුව අත්හිටුවා ගැනීමට එම සටන එලඳවී විය.

දිනකට රු. 10/- කින් පඩි වැඩි කරන ලෙස ඉල්ලමින් රාජ්‍ය සංස්ථා, පුද්ගලික යන අංශවල සේවකයින් ලක්ෂයකට වැඩි ප්‍රමාණයක් සහභාගි වූ 1980 ජූලි 18 දින වැඩ වර්ජනය ආණ්ඩුව විසින් හදිසි නීති හා අත්‍යවශ්‍ය සේවා රෙගුලාසි පාවිච්චි කර අදාල සටන නීති විරෝධී කර කිසිම අනුකම්පාවකින් තොරව වර්ජනය කළ සියලු දෙනාම තනතුරු හැර ගිය අය ලෙස සලකා ඔවුන්ගේ සේවය අත්හිටුවන ලදී. වෘත්තීය සමිති කායභාල සිල් හබා, බැංකු ගිණුම් තහනම් කර පොලිස් හමුදාව යොදවා වැඩවර්ජකයින්ට අධන්තේට්ටම් කරමින් ගෙන ගියා වූ දුර්දත්ත ක්‍රියා කලාපයකට අවතීර්ණ වෙමින් සමිති මර්දනයට දැඩි ලෙස ආණ්ඩුව ක්‍රියාත්මක විය.

පුද්ගලික අංශයේ 15,000 කට අධික පිරිසක් එම වැඩ වර්ජනයට සහභාගී වී ඇතත් ඔවුන්ගේ ආරාධුල මේ දක්වා විසඳී නැත. ජාත්‍යන්තර හා දේශීය සංවිධාන, වෘත්තීය සමිති සම්මේලන, බහුජන සංවිධාන, මහ සභාවන හා වෙනත් ආගමික නායකයින්, බුද්ධිමතුන්, ප්‍රභූවරුන් සහ අන්තර් ජාතික කම්කරු සංවිධාන ආදී සංවිධාන ආණ්ඩුවට බල කිරීම නිසා රාජ්‍ය හා සංස්ථා සේවකයින් විශ්‍රාම යවා හිත වැටුප් ගෙවීමට වර්ෂ 10 කට පමණ පසු ආණ්ඩුව කටයුතු කර ඇත. මෙම වැඩ වර්ජනයට සම්බන්ධවීම නිසා සිය ජීවන ප්‍රශ්නවලට විසඳුම් සොයා ගත නොහැකිව කලකිරීමට පත්වීමෙන් වර්ජකයන් 28 දෙනෙක් ජීවිත හානි කර ගත්හ. මෙම වැඩ වර්ජනය ලෝක වෘත්තීය සමිති ඉතිහාසයේම සිදුවූ ශෝචනීය ක්‍රියාදාමයක් ලෙස අපි දකිමු.

අතිගරු ජනාධිපති ඩී. ඩී. විජේතුංග මහතා විසින් හදිසි නීතිය උපයෝගී කර ගනිමින් 1993 ජුනි මස 17 දින නිකුත් කරන ලද අතිවිශේෂ ගැසට් නිවේදනයේ අන්තර්ගත අත්‍යවශ්‍ය සේවා රෙගුලාසි මාලාවෙන් සම්පන්න වෘත්තීය සමිති ව්‍යාපාරයම දඬුකඳේ ගසා මර්දනය කරන ලදී.

මුළු දිවයිනටම බලපාන පරිදි ශ්‍රී ලංකාව අපනයන කලාපයක් බවට පත් කර ඇත.

විවිධ වෘත්තීය සමිතිවල හා විවිධ සංවිධානවල බලකිරීම්වලින් අතිගරු ජනාධිපතිවරයා ජුනි 17 නිකුත් කළ ගැසට් නිවේදනයෙන් කොන්දේසි 02 ක් පමණක් සංශෝධනය කරමින් නිකුත් කරන ලද නියෝගමාලාවෙන් ද වැඩවර්ජනය කිරීමේ අයිතිය පූර්ණ වශයෙන් ලබා දී නැති අතර, ලියාපදිංචි නොවූ වෘත්තීය සමිතිවල සාමාජිකත්වය නොදරන කම්කරුවන්ට වැඩ වර්ජනය කිරීමේ අයිතිය එම සංශෝධනයෙන් උදුරාගෙන ඇත.

සමාගමේ නිදහස, එහි ආරක්ෂාව, සංවිධාන විමේ අයිතිය යනාදී කරුණු අන්තර්ගත අන්තර් ජාතික කම්කරු සංවිධාන විසින් සම්මත කර ඇති 87 වැනි ප්‍රඥප්තිය වර්තමාන ආණ්ඩුව විසින් අනුමත කර නැත.

ලාංකීය කම්කරු පංතිය අද බුක්ති විදින පැය 08 වැඩ මුරය, නිවාඩු හිමිකම්, පඩිපාලක සහාකාරීකා ආරවුල් පනත සංශෝධනය වීම, කම්කරු විනිශ්චය සහා පිහිටුවීම, සේවක අර්ථසාධක අරමුදල, ප්‍රසූති නිවාඩු හිමිකම්, පාරිභෝගික මුදල්, වන්දි ආඥාපනත, විශ්‍රාම වැටුප් ක්‍රමය, නිෂ්පාදන දිවිදීමනා, වාර්ෂික ප්‍රසාද දීමනා හා විවිධ අයිතීන් 1893 සිට මේ දක්වා ශ්‍රී ලංකාවේ වෘත්තීය සමිති ව්‍යාපාරය සාකච්ඡා මාර්ගයෙන්, උද්ඝෝෂණ හා සටන් තුළින් ලැබූ ජයග්‍රහණයන් බව සමහර අයට අද අමතකවී ඇති අතර, ඒ තුළින් ලබාගත් එම ජයග්‍රහණයන් රැකගැනීම වෘත්තීය සමිති ව්‍යාපාරයට බරපතල කාරියක් වීමට හේතුවී ඇත්තේ අත්‍යවශ්‍ය සේවා රෙගුලාසිවලින් හා හදිසි නීති රෙගුලාසිවලින් මුදු මහත් වෘත්තීය සමිති ව්‍යාපාරයම ගිලගෙන ඇති නිසාය.

වෘත්තීය සමිති ශතසංවත්සරය සැමරීමේදී අතීතයෙන් පාඩම් උගනිමු

ඒ. විලියම්

එක්සත් වතුකම්කරු සමිතියේ ප්‍රධාන ලේකම්

අතුරු පලාතේ වතුකාරයින්ගේ සංගමය ඉදිරියේ කථාවක් කළ අග්‍ර සේනා පතියා “ලංකාවේ කම්කරු සමිති තහවුරු වී ඇත. ඒවාට විරුද්ධව සටන් කිරීමෙන් කිසි හොඳක් වන්නේ නැත. එය ස්වාභාවික සංවර්ධනයේ අංගයක් බව පිළිගත යුතුයි” පැවසීය. (ලංකා වෘත්තීය සමිති ව්‍යාපාරයට ලැබුණ විධිමත් නායකත්වය, පොතේ 160 වන පිටුව-ලයනල් සරත්)

යටත් විජිත පාලකයාටවත් යටත් නොවූ වතු පාලකයින් ඉදිරියේ එවැනි ප්‍රකාශයක් කිරීමට අග්‍ර සෙන්පතියාට පවා සිදුවූයේ 1893 දී පටන් ගත් වෘත්තීය සමිති ව්‍යාපාරය 1944 වන විට විධිමත් සටන්කාමී සංවිධානයක් බවට පත්ව තිබූ නිසාය. 1935 අංක 14 දරන වෘත්තීය සමිති ආඥාපනත පැනවීමත්, ශ්‍රී ලංකා ප්‍රජාතන්ත්‍රවාදී සමාජවාදී ජනරජ ව්‍යවස්ථාවෙන්ම මූලික අයිතියක් වශයෙන් වෘත්තීය සමිති පිළිගැනීමත්, ලාංකීය වෘත්තීය සමිති ව්‍යාපාරයේ සංවර්ධනයේ උසස් මට්ටම කියාපායි.

1893 දී මුද්‍රණ කම්කරුවන්ගේ වැඩ වර්ජනයත් සමගම ලංකාවේ පළමු වෘත්තීය සමිතිය පිහිටුවා ගන්නා ලදී. ඔවුන්ගේ වර්ජනය මර්දනය කරන ලද්දේ මුත් එයින් කම්කරු පංතිය විශාල අත්දැකීම් ලැබීය. ලෝන්ඩන් කරුවන්ගේ වැඩ වර්ජනය ද පරාජයට පත්විය. එනමුදු කරක්කකරුවන්ගේ වැඩ වර්ජනය ජයග්‍රහණය කරන ලදී. අල්ලස් ගැනීම හා දූෂණය ගැන සොයා බලා වාර්තා කිරීම් සඳහා කොමිසමක් පත්කිරීමට යටත් විජිත පාලක යාට සිදුවීමෙන්ම ජයග්‍රහණයේ තත්වය පෙන්නුම් කළේය.

ජාතික නිදහස් අරගලය, අමදාප ව්‍යාපාරය, වැටුප් කොමිසමට විරෝධය පෑම, එකම අරගලයක අංගෝපාංග විය. මෙම සටන්වලට අනුගාමික ධර්මපාල, වලිසිංහ හරිස්චන්ද්‍ර, පොත්තම්බලම් අරුණාපලම්, ඒ.ඊ. බුල්ජන්ස්, දොස්තර ලිස්බෝවා පින්තු සහ මාවිනස් පෙරේරා වැනි අය නායකත්වය දුන්හ. අප රටේ වෘත්තීය සමිති ආරම්භයේ සිටම කම්කරු පංතියේ ඉල්ලීම් හා ජාතික නිදහස් අරගලය එකට බද්ධකර පවත්වාගෙන ගොස් තිබේ. පළමු ලෝක යුද්ධයෙන් පසුව ඇතිවූ ආර්ථික අර්බුදයත්, 1917 රුසියාවේ ජයග්‍රාහී විප්ලවයත්, ඉන්දියාවේ ජාතික නිදහස් අරගලයත්, එංගලන්තයේ කම්කරු පක්ෂය ගෙන ගිය කම්කරු අරගලත් විසින් අප රටේ කම්කරු අරගලත්, ජාතික නිදහස් අරගලයත් ඉදිරියට තල්ලු කරනු ලැබීය. මේ චක්‍රවාතුවේදී ලංකා ජාතික සංගමයත්, ලංකා කම්කරුවන්ගේ සම්මේලනයත් පිහිටුවීම සටනේ නව අවධියක් සනිටුහන් කළේය.

1923දී පැවති මහා වැඩ වර්ජනය ඒ. ඊ. ගුණසිංහගේ නායකත්වය ඇති ලංකා කම්කරු සමිතියේ ජයග්‍රහණයක් විය. මොහු නොකඩවා ගෙනගිය අරගල වූයේ සර්වජන ඡන්දය ඉල්ලා සිටීම හා ඇත බද්දෙන් ජනතාව ගලවා ගැනීමේ සටනයි. 1920 ගණන් වන විට ඉන්දියාවෙන් පැමිණි කේ. තයෙසර් අධ්‍යාර් සහ කොමියුනිස්ට් වාදියෙකු වූ ඩී. ඇම්. මෙනිලාල් සමඟ සබඳතා ගොඩනැගීමට ගුණසිංහට අවස්ථාව ලැබුණේය. 1928 දී ලංකා කම්කරු පක්ෂය ගොඩනැගීමත්, ලංකා කම්කරු සංගමය පිහිටුවීමත් ඒ. ඊ. ගුණසිංහගේ නායකත්වයෙන් කෙරිණි. එංගලන්තයේ කම්කරු පක්ෂයේ අවශ්‍ය කාවත් ඉටුකිරීමට යාමත්, කම්කරු පංති සටන් වෙනුවට පංති සහයෝග කාවට පත්වීමත්, ජාතිවාදයට යටවීමත් නිසා ගුණසිංහ කෙරෙහි කම්කරු වන්ගේ විශ්වාසය නැතිවිය. එංගලන්තයේ උසස් අධ්‍යාපනය ලබා, සෝවියට් දේශයේ විප්ලවයේ ආභාෂයෙන් දිරිමත් වූ මාක්ස්වාදය හැදෑරු තරුණ පිරිසක් ආපසු රටට පැමිණ අප රටේ සමාජවාදය පිහිටුවීමේ පරම සිතුවිල්ල ඇතිව වෘත්තීය සමිති ව්‍යාපාරයටත්, ජාතික නිදහස් අරගලයටත් නායකත්වය දීම ආරම්භ කරන ලදී. මෙම විප්ලවවාදී තරුණයින් අතර දොස්තර ඇස්. ඒ. චිත්‍රමසිංහ, ඇන්. ඇම්. පෙරේරා, පිලිප් ගුණවර්ධන, කොල්වින් ආර් ද සිල්වා විය. 1930 ගණන්වල ඇතිවූ ලෝක ආර්ථික අර්බුදය අප රටට ද බල පෑවේය. රටේ දුගී භාවයත්, මන්දපෝෂණයත් උග්‍රවිය. මැලේරියා වසංගතයෙන් ලක්ෂ ගණන් ජනතාව මරණයට පත්විය. කොපමණ බලපෑම් කළත් යටත් විජිත ආණ්ඩුව මේ කෙරෙහි හරවත් ක්‍රියාමාර්ගයක් නොගත් බැවින් මෙම විප්ලවවාදී තරුණ කොටස ආධාර එකතුකරමින් මැලේරියා රෝගීන්ට පිහිට වීමට කැපවිය. අධිරාජ්‍ය වාදීන්ගේ පොපිමල් ව්‍යාපාරයට විරුද්ධව 'සුරිය මල් ව්‍යාපාරය' ආරම්භ කළ මොවුන් 1935 වන විට ලංකා සමසමාජ පක්ෂය පිහිටුවා ගන්නා ලදී.

අප රටේ වෘත්තීය සමිතිවලින් අති බහුතරය යම් දේශපාලන පක්ෂයකට සම්බන්ධව පැවතීම ඓතිහාසික සංවර්ධනයේ ලක්ෂණයකි. එබැවින් ලංකා සමසමාජ පක්ෂය, ශ්‍රී ලංකාවේ කොමියුනිස්ට් පක්ෂය, 1950 ගණන්වලින් පසුව ශ්‍රී ලංකා නිදහස් පක්ෂය, 1970 ගණන්වලින් පසුව එක්සත් ජාතික පක්ෂය, ලංකා කම්කරු කොන්ග්‍රස් පක්ෂය ආදී පක්ෂ ගැන සඳහන් වීම නොවැලැක්විය හැකිය.

1940 වන විට විසිමක් වෘත්තීය සමිති ව්‍යාපාරයක් ආරම්භ විය. එක් වෘත්තීයයකට එක් සමිතියක් හා සියලුම වෘත්තීය සමිතිවලට එක් මධ්‍යස්ථානයක් යන පුලුල් දැක්ම ඇතිව 'ලංකා වෘත්තීය සමිති සම්මේලනය' ආරම්භ කළ අතර එහි නායකත්වය උඩකැන්දවල සරණංකර මාහිමිපාණන් සහ ඇම්. ඒ. මැන්ඩස් යන දෙයට පැවරුනි. ශ්‍රී ලංකාවේ කොමියුනිස්ට් පක්ෂයේ මග පෙන්වීම ලබන මෙම සම්මේලනය පළමු වරට ලංකාව නියෝජනය කරමින් ලෝක කම්කරු සම්මේලනයේ සාමාජිකත්වය ද ලබා ගත්තේය.

1947 මහා වැඩවර්ජනය බිහිවෙන්නාවූවන් මර්දනය කළ ද කම්කරු පංතිය පෙත්වූ විප්ලවවාදී සටන්කාමීත්වය නිසා එංගලන්ත අධිරාජ්‍යවාදීන් ද නිගැස්සීමට පත්විය. අප රටට දේශපාලන නිදහස ලබාදීම ඉක්මන්වීමට ද මෙය හේතු විය. 1953 නේ මහා හර්තාලය කම්කරු පංතිය විසින් සාමාන්‍ය ජනතාවට නායකත්වය දී කරන ලද විශාලම ඓතිහාසික අරගලයයි. මෙයින් රජය කඩා වැටුණේය. අගමැති ඉල්ලා අස්විය. කම්කරුවන් ගණනාවක් වෙඩි තබා මැරුව ද රටේ දේශපාලනය වෙනස් කිරීමට මෙය හේතු විය. 1956 ජනතා ජයග්‍රහණයේ සම අයිතිකරුවෙකි කම්කරු පංතිය. මෙය රටේ ප්‍රගතිය සඳහා විශාල වැඩකොටසක් කෙරුණු අවධියකි. සටන් තුළින් කම්කරු පංතිය අයිතීන් ජයග්‍රහණයන් ලබා ගත්හ. ජනාකූල ව්‍යාපාර ආරම්භ කිරීම, සමාජවාදී රටවල් සමඟ සබඳතා ගොඩනැගීම හා ඒ මගින් ජාතික කර්මාන්ත (ඔවුන්ගේ ආධාර ඇතිව) පටන් ගැනීම මින් කිහිපයකි. මේ නිසා කම්කරු පංතියේ සංඛ්‍යාත්මක හා ගුණාත්මක දියුණුවක් ඇතිවිය.

1980 දී ජීවන වියදම් ඉහළයාම, ලබා තිබූ අයිතින් උද්‍යෝගීව ගැනීමට විරෝධය පෑම් වෙනුවෙන් උද්ඝෝෂණ පැවැත්වූ අවස්ථාවලදී ආණ්ඩුවට හිතවත් මැර හමුදා යොදා ඒවා මර්දනය කිරීමත්, 1980 ජූලි මහා වැඩවර්ජනය මර්දනය කර සියලු දෙනාගේ රැකියාවන් අහිමිකිරීමත් කරන ලදී. වෘත්තීය සමිති මර්දනය කිරීමේ කාලපරිච්ඡේදයක් බවට මෙම වකවානුව පත්විය.

එක් එක් මධ්‍යස්ථානවලට බෙදී සිටි වෘත්තීය සමිති එක් මධ්‍යස්ථානයකට '21 සංවිධානය' යන නමින් ඒකාබද්ධවීම කම්කරු පංතියේ ජයග්‍රහණයක් විය. මෙය පහසු කාර්යයක් නොවීය. ඒ කෙසේ වුව ද රාජ්‍ය අංශයේ, සංස්ථා අංශයේ හා පෞද්ගලික අංශයේ වැදගත් මධ්‍යස්ථාන සියල්ල පාහේ මෙම සංවිධානය තුළට ගෙන ඒමට ඇල්. ඩබ්. පණ්ඩිත ආදී නායකයින් සමත්විය. ආණ්ඩු බලයට එන පක්ෂ තමන්ගේ වෘත්තීය සමිති ආණ්ඩුව ආරක්ෂා කරවා ගැනීම වස් කම්කරු පංති අරගල කඩාකප්පල් කර දමීමටත්, මර්දනය කිරීමටත් වෘත්තීය සමිති ව්‍යාපාරයම යොදා ගැනීම පසුගිය දශක කීපය තුළ දක්නට ලැබුණු, කම්කරු පංතිය පවා දෙනු ලැබූ අවාසනාවන්තම තත්වයයි. මෙය තාවකාලිකව අවස්ථාවාදයට වැටීමක් බැවින් බියවිය යුතු තැන.

මෙයට අමතරව වැටීලිකරයේ තත්වය ද ගතසංවත්සරයේදී විශේෂ සැලකිල්ලට භාජනය විය යුතුය. 1870 ගණන්වලදී ආරම්භවූ නේ, රබර්, වැටීලිකරයේ පාලකයින් විසින් ඉන්දියාවෙන් ගෙන්වන ලද කම්කරුවන් අර්ධ වහල් භාවයේ තබා ගනිමින් ඉතාමත් මිලේච්ඡ ලෙස යුරාකනු ලැබීය. තුංඩු හා කංකානි ක්‍රමයන් තවදුරටත් මොවුන් යුරාකනු ලැබීය. පොන්තම්බලම් අරුණාමලම් වතු කම්කරුවන් වෙනුවෙන් සංවිධාන ගොඩනැගීමට උත්සාහ කළ ද එය සාර්ථක නොවීය. ඉන්දියාවෙන් පැමිණි කේ. තඩේසර් අධියාර් සමස්ත ලංකා වතුකම්කරු පෙඩරේෂනය නමින් හටත් මූලස්ථානය කරගෙන වෘත්තීය සමිති අංශයේ වැඩ පටන්ගන්නා ලදී. 1927 දී වතුකම්කරුවන්ට

අවම වැටුප් නියම කිරීමේ පළමු පටිපාටක සභාව ඇති කරන ලද මුත් එය 1929 වනතෙක් ක්‍රියාත්මක නොකරන ලදී. 1929 දී වැඩිමුළු මුදල් ගෙවූ නමුත්, 1930 දී ගෙවමින් තිබූ වැටුප් අඩුකරන ලදී. මෙයට පාන ලද විරෝධයන් කිසිවෙකුගේ අවධානයට ලක්නොවීය. වතුකරයේ වැටුප් ගෙවීමේ විෂමතා රාශියක් විය. උඩරට, මැදරට, සහ පහතරට වශයෙන් විවිධ වැටුප්පතල තිබූ අතර, ස්ත්‍රීපුරුෂ, ළමා වශයෙන් වැටුප් වෙනස්කම් ද විය. 1920 දී අධ්‍යාපන ආඥාපනත මගින් පාසල් යාම අනිවාර්ය කිරීම නිසාත් දරුවන් පොතපත කියවීමට හැකි අයවීම නිසාත්, 1931 ඡන්ද බලය හිමිවීම නිසාත්, දේශපාලන ක්ෂේත්‍රයට වතුකම්කරුවන් ඇතුළුවිය. මේ නිසා දේශපාලන පක්ෂ ද වතුකම්කරුවන් කෙරෙහි උනන්දුවක් දැක්වීමට පටන්ගන්නා ලදී. විශේෂයෙන් සමසමාජ පාක්ෂිකයින් හා කොමියුනිස්ට්වාදීන් තමන්ගේ වෘත්තීය සමිති වැඩිලිකරය තුළ පිහිටුවීමටත්, වතුකම්කරුවන් වෙනුවෙන් සටන් කිරීමටත් පටන් ගන්නා ලදී. වතුපාලකයෙකුට සිටි 'බ්‍රේස්ගර්ඩ්ල්' වතුකම්කරුවන්ගේ පැත්ත ගැනීම නිසා යටත්විජිත පාලකයාගේ හා වතු පාලකයින්ගේ උදහසට ලක්වූව ද, ලංකා සමසමාජ පක්ෂය විසින් ඔහු ආරක්ෂා කරගනිමින් ගෙනගිය අරගලය ඉතා ප්‍රසිද්ධ එකකි. එමෙන්ම 1939 "මුල්සිය" වත්තේ කරන ලද වැඩවර්ජනය මර්දනය කළ ද එම සටන් රැල්ලත් වතු ගණනාවකට පැතිරුණු අතර "වැවැස්ස" වත්තේ කම්කරුවන් මර්දන කාරි පොලිසියේ ආයුද්‍ය උදුරා ගැනීමට තරම් එඩිතර විය. සමසමාජ නායකයින්ගේ මගපෙන්වීම ලබන සමස්ත ලංකා වතුකම්කරු සංගමය මෙම වැඩවර්ජනය මෙහෙයවන ලදී. එමෙන්ම 1949 දී කොමියුනිස්ට් පක්ෂයේ මගපෙන්වීම ලබන ලංකා වැඩිලිකම්කරු සමිතිය (රතු කොඩි) නායකත්වය දෙනු ලැබූ "ගස්තාව" වත්තේ කම්කරුවෝ දින කිපයක් තම වත්තේ පාලනය සියතට ගෙන රතු කොඩි ඔසොවා තමන්ට වත්තක් පාලනය කළහැකි බව පෙන්වූහ. 1940 දී ලංකා ඉන්දියානු කොන්ග්‍රසය පිහිටුවීම වැදගත් සිද්ධියකි. පසුව ලංකා කම්කරු කොන්ග්‍රසය නම් විය.

1940 දී කරුණු 7 කින් යුක්ත සාමූහික ගිවිසුම හා 1951 දී කරුණු 13 කින් යුතු සාමූහික ගිවිසුම අත්සන් තැබීම වතු කම්කරුවන් ලද ඓතිහාසික ජයග්‍රහණයකි.

1948 දී නිදහස ලබා ගැනීමෙන් පසුව ගෙනෙන ලද පුරවැසි පනත හා 1949 දී ගෙනෙන ලද පාර්ලිමේන්තු ඡන්ද නීතිය සංශෝධනය කිරීමේ පනතක් නිසා වතුකරයේ කම්කරුවන්ට තිබූ ඡන්ද බලය අහිමිවිය. මෙහි ප්‍රතිඵලයක් ලෙස දේශපාලන පක්ෂ වතුකරය කෙරෙහි උනන්දුව අඩුවීමක් සිදුවිය. රටක් නැති ජනතාවක් වතුකරය තුළ නැවත ඇතිවිය. ජාතිවාදී වතුකරය තුළ වෘත්තීය සමිති ගෙනයාමට මෙය ඉඩහල්විය. එමෙන්ම වතුකරය තුළ යටත්කාමී කම්කරුවන් මොට කිරීමට ද හේතුවිය.

1964 දී අත්සන් කළ ලද සිරිමා ශාස්ත්‍රී ගිවිසුම නිසා චතුකරය තුළ විශාල වෙනසක් ඇතිවිය. 1972 දී ගෙනෙන ලද ඉඩම් ප්‍රතිසංස්කරණ පනත යටතේ දේශීය කොම්පැනි ද, 1975 දී ගෙනෙන ලද ඉඩම් ප්‍රතිසංස්කරණ පනත යටතේ විදේශීය කොම්පැනි ද රජයට පවරා ගෙන ජනවියම හා ශ්‍රී ලං. රා. වැ. සංස්ථාව පිහිටුවා චතු පාලනය භාරදෙන ලදී. මෙම අයිතිය රජයට පවරා ගැනීමේ හේතු වෙන් චතුකරය තුළ විස්තරව කාරි වෙනසක් ඇතිවිය. මේ වෙනසත් සමගම ජයග්‍රහණයන් රාශියක් චතුකම්කරුවන්ට ලැබිණ. ඒවා අතරින් විශේෂ වූ කරුණු කිහිපයකි මේ.

1. වෙන් වෙන්ව එක් එක් සේවයන් යටතේ සේවය කළ ලක්ෂ සංඛ්‍යාත කම්කරු පිරිස එක් සේවයක යටතට පැමිණීමෙන් සාමූහිකව කේවල් කිරීමේ ශක්තිය උපරිම තත්වයට පත්වීම. ඒ තුළින් ශක්තිය පෙන්වූ අවස්ථා දෙකක් මෙහි පහත දැක්වේ. (අ) 1984 දී පැවැති දින 10 වැඩ වර්ජනය. මෙයට නායකත්වය දෙනු ලැබුවේ වෙන් වෙන්ව සිටි චතු වෘත්තීය සමිති ගණනාවක් එක්සත්ව 1971 දී පිහිටුවා ගන්නා ලද චතු වෘත්තීය සමිති ඒකාබද්ධ කමිටුවත්, ලංකා කම්කරු කොන්ග්‍රසයත් ය. මෙම, අරගලයේ ජයග්‍රහණයක් වශයෙන් චතුකම්කරුවන්ට ස්ත්‍රීපුරුෂ හේතූන් තොරව සම්මුඛ ලබා ගැනීම, සතියකට දින 6යේ වැඩ ලබාගැනීම චේතනාසිත ජයග්‍රහණයන් විය. ඉහත සඳහන් සංවිධාන දෙක මගින් 1986 දී කරන ලද යාපද ව්‍යාපාරය නිසා පුරවැසිකම් ලැබීම ද වේ. මෙම අරගල දෙකම ලක්ෂ ගණනක් චතුකම්කරුවන් යම්බන්ධවූ, චතුකරය පුරා පැතිරුණු සම්පූර්ණයෙන්ම වැටිලිකරයේ වැඩ නතරවූ චේතනාසිත අරගල වේ.

2. මනුෂ්‍යයෙකු වශයෙන් ජීවත්විය හැකි ප්‍රජාතන්ත්‍රවාදී තත්වයන් ඇතිවීම.
3. චතු පාසල් රජයට පවරා ගැනීමෙන් අධ්‍යාපනය උසස් කිරීම.
4. සෞඛ්‍ය පහසුකම් වැඩිදියුණු කිරීම.
5. වඩා හොඳ ජීවන තත්වයන් දිනා ගැනීම.

1988-1992 පමණ වන තෙක්වූ ගිණුම් සමය තුළ චතුකම්කරුවන්ට නොයෙක් කරදර ඇතිවිය. මනුෂ්‍ය සාහසික, අතුරුදහන්වීම්, රැකියාවට යාම කහනම් කිරීම් තුළින් වැටුප් නොලබා සිටීම, චතු තුළ හමුදා කඳවුරු පවත්වාගෙන යාම, මේ හේතූන් නිසා චතුකරය තුළ අවාසනාවන්ත සිදුවීම් රාශියක් විය. චතු වෘත්තීය සමිති ඒකාබද්ධ කමිටුව වැටිලි අමාත්‍ය රාජන් විජේරත්න මහතා සමඟ කරන ලද සාකච්ඡාවේ ප්‍රතිඵලයක් වශයෙන් චතු වලින් හමුදා ඉවත්කරවා ගත හැකිවිය.

එක් එක් වත්තේ සේවය කරන කම්කරු සංඛ්‍යාවෙන් සියයට 25ක් වත් සාමාජිකත්වය නොදරන සමිති පිළිනොගැනීමටත්, පඩි පතින් සාමාජික මුදල් අය නොකිරීමටත් ජනවසමත්, වැටිලි සංස්ථාවන් නීති පැනවීම නිසා එක්සත් චතුකම්කරු සමිතියේ නිර්මාතෘ මෙන්ම වර්තමානයේ ප්‍රධාන

සභාපති වන චතුර්වාර්තිය සමිති ඒකාබද්ධ කමිටුවේ කැඳවුම්කරුවන එස්. නාඩෙසන් මහතාගේ සහ තවත් නායකයින් කීප දෙනෙකුගේ බලවත් මැදිහත් වීම නිසා චතුර්වාර්තිය සමිති ඒකාබද්ධ කමිටුව ශ්‍රේෂ්ඨාධිකරණයේ නඩුවක් පවරා ජනවසමේ හා වැවිලි සංස්ථාවේ තීන්දුව අවලංගු කරවා ගැනීම ලැබූ විශාල ජයග්‍රහණයකි.

1992 දී චතුර්කරය නැවත පුද්ගලික අංශයට බදුදීම නිසා මුද්‍රා මහත් චතුර්කරය අර්බුදයකට ඇද දමා ඇත. බ්‍රික්බිඩ්මින් සිට අයිතිවාසිකම් එකින් එක ආපසු උදුරා ගැනීමට චතුර්කරයෙන් උත්සාහ දැරීම නිසා දැනට චතුර්කරයේ නාවක කාර්මික ආරාමයේ පැන නැග තිබේ.

කම්කරු පංති හා වාර්තිය සමිති ව්‍යාපාරය විසින් තම ලේ, දහඩිය හා ජීවිත කැපකිරීම් තුළින් පිරුණු එම සුවඳවත් ඉතිහාසය අගයන අතර අද ජීවත්වන අතර නැති හා ඇති ඒ අමරණීය නායකයින්, ක්‍රියාකාරීන් හා සාමාජිකයින් අපගේ ගෞරවයට ලක් කරන අතර, මෙවැනි ලිපි එකතුවක් භාෂා කුෂණත්ම මුද්‍රණය කර ලංකා වාර්තිය සමිති ව්‍යාපාරයට ගතසංවත්සරය පිරිම සැමරීමට ක්‍රියා කිරීම පිළිබඳවත් ශ්‍රී ලංකාවේ සේවක අධ්‍යාපනඥයන්ගේ සංගමයට (WEAL) මගේ ගෞරවය හා කෘතඥතාව ද පුද කරමි.

ජීවත්වීමට සරිලන වැටුපක්

ජයන්ත රාජවික්‍රම

වාරිකාර්ග දෙපාර්තමේන්තුවේ

පර්යේෂණ සහකාරවරුන්ගේ සංගමය

වර්ෂ 1883 සැප්තැම්බර් මස ආරම්භ වූ, ත්‍රිත්‍යාත්‍යයන් සතු කේවිය සමාග-
මෙහි මුද්‍රණ කම්කරු ශිල්පීන්ගේ වැඩවර්ජනය, ශ්‍රී ලංකාව තුළ සිදුවූ ප්‍රථම
විසිමක් වැඩ වර්ජනය ලෙස පිළිගැනේ. එහිදී බිහිවූ විජානීය කම්කරු
න්‍යායකත්වයෙන් යුතු, දේශීය කම්කරුවන්ගේ වෘත්තීය සමිතිය, ශ්‍රී ලංකාවේ
වෘත්තීය සමිති ව්‍යාපාරයේ ආරම්භය සේ ගැනේ. එහි ශත සංවත්සරය
සැමරෙන මෙම අවස්ථාවෙහි පවා වැදගත් සිදුවීමක් වනුයේ, එම වැඩ
වර්ජනයට මුල්වූයේ ද 'ජීවන වියදම්' ප්‍රශ්නය වීමය. එහිදී ත්‍රිත්‍යාත්‍යයන්
සතු පුද්ගලික සමාගමක ශ්‍රී ලාංකික කම්කරුවන්, ජීවන වියදමට ඔරොත්තු
දෙනු පිණිස වැඩ වේතනයක් ඉල්ලා ආරම්භ කළ සටන, වසර සියයකට පසු,
වර්තමානයෙහිදී ද, නොවිසඳී පැවතීම අභාග්‍යයකි.

පුද්ගලික අංශයෙහි යම් යම් ආයතනවල ජීවන වියදමට සරිලන වැටුප්
නොලැබුණ ද, සමහර ආයතන ඊට ස්ථිරඥාන විසඳුම් දී තිබෙන බව නොරහසකි.
එහෙත් මා මෙහිදී සාකච්ඡා කිරීමට බලාපොරොත්තු වනුයේ, ආදර්ශමත්
ස්වාමියා නොහොත් භාමිපුත්‍රා ලෙස පිළිගැනෙන රජයන්, රජයේ සේවකයාන්
ජීවන වියදම් ප්‍රශ්නයට මුහුණ දෙන ආකාරය පිළිබඳවය ; ඉන් අත් මිදීමට
ගතහැකි ප්‍රායෝගික ක්‍රියාමාර්ග පිළිබඳවය.

ජීවන වියදම් ප්‍රශ්නය ඉතා සැකෙවින් අර්ථ දැක්විය හැක්කේ, සේවකයාට
ජීවත් වීමට සරිලන වැටුපක් නොලැබීම ලෙසය. සැබවින්ම ඕනෑම
සේවකයෙකු ජීවත් වීමට සරිලන වැටුපක් ලැබීම, මූලික මිනිස් අයිතිවාසි-
කමක් විය යුතුය. අධ්‍යාපන සුදුසුකම්, පලපුරුද්ද, උසස්වීම්, රාජකාරි
ස්වභාවය යනාදිය අනුව, වැටුප් පරතර තිබිය යුතු වුව ද, අවම වැටුප, සෑම
විටම ජීවත්වීමට සරිලන වැටුපක් විය යුතුය. ජීවත් වීමට සරිලන වැටුප
පිළිබඳව රාජ්‍ය සේවා නිදහස් වෘත්තීය සමිති සම්මේලනය විසින් නිරන්තර
සමීක්ෂණයක යෙදෙමින් සිටී. ඉතාමත් විද්‍යානුකූල පදනමක් මත කෙරෙන
සමීක්ෂණ වාර්තා අනුව 1992 වසරේ සාමාන්‍ය පවුලක මාසික වියදම රු. 5000
ද ඉක්මවා ඇත. මේ පිළිබඳව සැලකිල්ලක් දක්වන පුද්ගලික ආයතන,
1991 අගෝස්තු මස වන විට, සිය සේවකයන්ගේ අවම වැටුප රු. 4167 දක්වා
ඉහළ නංවා ඇත. නමුත් රජයේ සේවකයාගේ අවම වැටුප රු. 2000ටත්
අඩු මට්ටමක පවතින බැවින්, පවුලක ප්‍රධානීන් දෙදෙනාම රජයේ
සේවයෙහි යෙදුන ද, සදකාලික ණය බරින් මිරිකී සිටීමට ඔවුනට සිදුව ඇත.

වර්තමාන කොළඹ පාරිභෝගිකයාගේ ජීවන වියදම් දර්ශකය පිළියෙල කිරීමේදී, බලශක්තිය, ගම්නාශමනය, ඇවුම්පැලඳුම්, නිවාස කුළි/නඩත්තු වියදම් සහ බෙහෙත්ගෙත් යනාදිය සඳහා වන වියදම් සැලකිල්ලට නොගැනේ. එහෙයින් මුලින්ම කළ යුත්තේ සියලුම සාමාන්‍ය වියහියදම් සැලකිල්ලට ගෙන, ස්වාධීනව ජීවන වියදම් දර්ශකය පිළියෙල කිරීමට ක්‍රමවත් වැඩ පිළිවෙලක් ක්‍රියාත්මක කරවීමය. දෙවනුව ඉතාමත් සාධාරණ ලෙසින් එක් දර්ශකයක මූල්‍යමය වටිනාකම නිර්ණය කළ යුතුය. මෙම කටයුතු දෙකම අධිකරණ අංශයෙහි, ප්‍රධාන විනිසුරුවෙකුගේ සභාපතිත්වයෙන් යුතු ජීවන වියදම් කමිටුවක පූර්ණ අනුමැතියෙන් සහ අධීක්ෂණයෙන් යුතුව සිදු විය යුත්තකි.

වැදගත්ම අවශ්‍යතාව වනුයේ රජයේ සේවකයන් වෙනුවෙන් භාරකාර අරමුදලක් පිහිටුවීමය. එම අරමුදල් පාලන මණ්ඩලය ද ඉහත සඳහන් කළ කමිටුවේ අධීක්ෂණය යටතේ ක්‍රියාත්මක විය යුතුය. සියලුම රජයේ සේවක යන් දැනිවැයියෙන්නන් මෙම අරමුදලෙහි සාමාජිකයන් විය යුතුය. වනසිංහ කමිටුවේ නිර්දේශ මත ජීවන වියදම් දර්ශකය මත ජීවන වියදම් දීමනාවක් ලබාදීමට රජය එකඟ වූ ද පවත්නා මුදල් එක් එක් සේවකයාගේ නමින් ගිණුම්ගත කර එම අරමුදලට බැර කළ යුතුය. එම අරමුදලෙහි ස්ථාවරත්වය සඳහා, වසරකට ගණනදහන අත්හිටුවා තැබීම, සියවසකටත් අධික කාල පරිච්ඡේදයක් ජීවන වියදම් ප්‍රශ්නයෙන් බැට කැරළු රජයේ සේවකයන්ට අපහසු වක් නොවනු ඇත. ඊට අමතරව රජය 3% ක් හෝ ඊට වැඩි ප්‍රතිශතයක් බැර කරන්නේ නම්, සේවක වැටුපෙන් 1% ක් අරමුදලට බැර කිරීම ද ප්‍රායෝගික වනු ඇත. රජයේ සුරැකුම්පත් හෝ භාණ්ඩාගාර බිල්පත් යනාදියෙහි ප්‍රායෝජනය කිරීම මගින් ද අරමුදල තරතර ගතහැක. මීට අමතරව වෙනත් විවිධ ක්‍රම මගින් ද සලසු වසර තුළදීම අරමුදල ස්ථාවර කළහැක.

රජයේ සේවකයන්ට නොයෙකුත් අවස්ථාවලදී වන්දි, දඩ මුදල් ආදිය රජයට ගෙවීමට සිදුවේ. ඒවා කම ගිණුමෙන් හර කිරීමට සේවකයාට අයිතියක් තිබිය යුතුය. මෙම ගිණුම් නාමික ගිණුම් පමණක් වීම වැලැක්වීමට 75%ණය මුදලක් සාධාරණ පොලියකට ගත හැකි වීම, වසර 3 ට පෙර පැවති මුළු මුදල ලබාගත හැකිවීම යනාදී විවිධ කොන්දේසි පැනවිය යුතුය. සේවකයා විශ්‍රාම ගැනීමේ දී ද දිගටම ක්‍රියාත්මක කළහැකි මෙම ගිණුම් ක්‍රමය, සේවක යාගේ අභාවයේදී නිත්‍යානුකූල ගිම්කරුවන්ට සම්පූර්ණ මුදල ලැබෙන පරිදි පිළියෙල කළ යුතුය.

දැනට රජයේ සේවකයන්ට අහිමි එළඳැබ් රක්ෂණ ක්‍රම ආදී භූගසාධන ක්‍රම මෙම ගිණුම් මගින්ම කර ගැනීමට ඔවුනට හැකිවනු ඇත. ඒ අයුරින් සේවකයාට ද පිහිට වන ගිණුම පවත්වාගෙන යාම, මුදල් ගණුදෙනු ක්ෂණික

වම නොකෙරෙන බැවින්, රජයට ද බරක් නොවනු ඇත. 'සිව්න වියදම් දීමනාව ගෙවනු' යන පාඨය වෙනුවට මෙවැනි ඵලදයී ප්‍රායෝගික ක්‍රමයක් දිනා ගැනීමට කටයුතු කිරීම අදට ඔබ්බ බව පැහැදිලි විය යුතුය. අයිති-වාසිකම් දිනා ගැනීමේ සාම්ප්‍රදායික ක්‍රමයන්ට ම ගැනි නොවී, ප්‍රායෝගික ක්‍රම මගින් ඒවා දිනා ගැනීම සඳහා සේවකයන් දැනුවත් කිරීම ද, රජයට කරුණු ඉදිරිපත් කිරීම ද, එකසේම වැදගත් වනු ඇත. වෘත්තීය සමිති ව්‍යාපාරයට වසර සියයක් ද මහා වැඩ වර්ජනයන්ට වසර හත්තැවක් ද සපුරා ඇති මෙම අවස්ථාවේදී, එවැනිම ඉතිහාසයක් තිබෙන ජීවන වියදම් ප්‍රශ්නයට ස්ථිරසාර විසඳුමක් ලැබේ නම් එය සේවකයාට සමෂක් නොව රජයට මෙන්ම පොදු සමාජයට ම අමිල යහපතක් වනු ඇත.

ශ්‍රී ලංකාවේ වෘත්තීය සමිති ව්‍යාපාරයේ සමාජ පසුබිම

ටී. ඩෙනල් ප්‍රනාන්දු
සමස්ත ලංකා තැපැල් සහ විදුලිපණ්ඩු
සේවක සංගමය

ශ්‍රී ලංකාවේ වෘත්තීය සමිති ව්‍යාපාරයට සිය වසරක් පිරීම යනු, වැඩ කරන ජනතාවගේ පමණක් නොව මිනිස් වර්ගයාගේම වැදගත් සන්ධිස්ථානයකි. 1958 ට පෙර වෘත්තීය සමිති මේ රටට නොගැලපෙන බවත්, ඒවායින් කෙරෙනුයේ මුට්ටිකාසි එකතු කිරීම පමණක් බවත්, පැවසූ පැරණි ජන නායකයෝ අද තමන් ද වෘත්තීය සමිති බිහිකරගෙන සිටිති. එවැනි චෝදනා එල්ල කර ගෙන ඇති සමිති ඇත්ත වශයෙන්ම වැඩ කරන ජනතාවට කිසිදු මෙහෙයක් සිදුකර නොමැති හෙයින් මුට්ටිකාසි එකතු කිරීමට පමණක් සීමාවී තිබෙන බව අද සනාථ වී තිබේ.

සර් ජෝන් කොකලාවල මහතාගේ පියා විසින් මෙහෙයවන ලද බරකරත්ත වැඩවර්ජනයේ සිට කේවි සමාගමේ මුද්‍රණ කම්කරුවන්ගේ වැඩ වර්ජනය දක්වා පැනීරී ගිය සටන් රැල්ල වෘත්තීය සමිති ව්‍යාපාරයේ සමාජ පසුබිම වූයේය. පැය අටේ වැඩ දිනයේ සිට අද දක්වා කම්කරුවන් විසින් දිනාගන්නා ලද හැම අයිතියක්ම, වරප්‍රසාදයක්ම, වෘත්තීය සමිති ගෙන ගිය අරගලවල ප්‍රතිඵලයක් ය.

වෘත්තීය සමිති ව්‍යාපාරයට සිය වයස් සපිරෙන විට තැපැල් සේවාවේ වෘත්තීය සංගම් ව්‍යාපාරයට ද 50 වසරක් සපිරේ. ආරම්භක නායකයින් බොහෝ දෙනෙක් ජීවතුන් අතර නැති වූව ද, අපේ ව්‍යාපාරයට පසුබිම සකස් කළ ඇම්. ජී. මැන්ඩිස් මහතා තවමත් ජීවතුන් අතර සිටීම ගැන අපි ආඩම්බර වෙමු.

අන්තිදිග ආසියාවේ රටවල වෘත්තීය සමිති ව්‍යාපාරය දෙස බලන විට ඉන්දියාවෙන් ශ්‍රී ලංකාවෙන් වෘත්තීය සමිති ව්‍යාපාරය වඩාත් සංවිධානාත්මක තත්වයක පවතින බව නොබෝද විදේශ සංචාරයක යෙදුණ අපේ නියෝජිතයෝ වාර්තා කළහ.

යටත් විජිත පාලන යුගයේ කම්කරුවන්ට ඇතිවූ හාඩන පිඩන දියුණු වෘත්තීය සමිති ව්‍යාපාරයක් ආරම්භ වීමට පසුබිම සකස් කළේය. ආවායම් කුමාරි ජයවර්ධන මහත්මිය විසින් ඒ පිළිබඳ ඉතිහාසය ලියා ඇති බැවින් අපි මෙහිලා ඒ කිසිවක් සඳහන් නොකරමු. අප සාකච්ඡා කරනුයේ අද පවතින සමාජ තත්වයන්ට ගැලපෙන නව වෘත්තීය සංවිධානයක් බිහි කිරීමේ අනාගත අරමුණ කෙරේ මුද්‍රාත්පත්කර ගත හැකිද? යන්නය. ඒ සඳහා පැරණි අත්දැකීම් උපයෝගී කර ගැනීම අත්‍යවශ්‍යවේ.

1942 පමණ අවධියේ පැවති ශ්‍රී ලංකාවේ බ්‍රිතාන්‍ය පාලන සමයේදී “ඇපල් බී” නමින් සිටි සුදුසාහික තැපැල්පතිවරයා යටතේ සේවකයින්ට වහලුන්ට මෙන් සැලකීම ඉවසා දරා ගත නොහැකි වූ මධ්‍ය විදුලිපණ්ඩු කායභාලයේ සේවකයෝ වැඩ නොකර කායභාලයෙන් එළියට බැස විරෝධය පළකළහ. මෙම වැඩ නොකර එළියේ වාඩිවී සිටි සේවකයින් අතරට පැමිණි බ්‍රිතාන්‍ය ජාතික තැපැල්පතිවරයා “හු ආ ද ලිඩර්” යනුවෙන් ප්‍රශ්න කරත්ම එක් සේවකයකු නැගිට “යු ආ ද ලිඩර්” කියමින් තැපැල්පතිවරයා වෙත ඇඟිල්ල දිගු කළේය. මේ දෙස බලා සිටි තරුණ විදුලිපණ්ඩුකරුවකු පසුව අප සංගමයේ නායකත්වයට පැමිණ මුළු මහත් රාජ්‍ය සේවකයින් එක්සත් කොට ශ්‍රී ලංකාවේ ප්‍රථම රාජ්‍ය සේවකයින්ගේ වෘත්තීය සමිති සම්මේලනය වන රාජ්‍යසේවා වෘත්තීය සමිති සම්මේලනය ගොඩනගා එහි සභාපති වරයා බවට ද පත්විය.

1942 පීඩාවනට විරුද්ධව තැපැල් සේවකයින් අරගලය කළේ සංවිධානයක් නොමැතිවය. සංවිධානයක අවශ්‍යතාව ඔවුන්ට එම යටතේදී පෙනී ගියේය. අගනුවරට පමණක් සීමාවූ වෘත්තීය සමිතියක් ඔවුහු බිහිකර ගත්හ. 1943 මාර්තු 13 දින ප්‍රථම ව්‍යවස්ථාව සම්මත කොට එය දිපව්‍යාප්ත සංගමයක් බවට පත් කරගත් නමුත්, එහි නායකත්වයට පත්වුවේ එවකට බ්‍රිතාන්‍ය ආණ්ඩුවට පක්ෂපාතීව හා යටහත් පහත්ව ක්‍රියාකළ පිරිසකි. 1953 මාර්තු මාසයේදී යටත්කාමී තරුණ කොටස් සමිතියේ නායකත්වයට පත්වූහ. එය සමස්ත ලංකා තැපැල් සහ විදුලිපණ්ඩු සේවක සංගමය නමින් වෘත්තීය සමිති රෙජිස්ත්‍රාර්වරයා යටතේ ලියාපදිංචි විය. 1953 සිට 1958 දක්වා තැපැල් සේවකයෝ දිගින් දිගටම වැඩ වර්ජන හා වෘත්තීය අරගල කරමින් ඔවුන්ගේ පීඩාවන්ගෙන් මිදීමට විශාල වෙහෙසක්දරා ඇත. සපත්තු වත් පැළඳගෙන රාජකාරියට ඒමට හෝ අත් ඔරලෝසුවක් පැළඳීමට පවා නිලධාරීන්ගෙන් අවසරයක් නොලැබූ ඔවුහු රජයෙන් පාවහන් ඉල්ලා සිටත් කළහ. එක දිනටම දසවසරක පමණ අධ්‍යයන අරගලයකින් පසු ඇඟට ගැලපෙන නිල ඇඳුමක්, පාවහන් සහ මේස් පවා ලබා ගැනීමට ඔවුහු සමත් වූහ. එක් සමිතියක් පමණක් තිබුණු අවදියේ අපි දිගින් දිගටම ඉල්ලීම් දිනා ගත්තෙමු. බෙදී වෙන්වී සිටි හැම විටම පරාජය ලැබුවෙමු. විවිත්විට පත් වූ ආණ්ඩු ඔවුන්ගේ වෘත්තීය සමිති හඳුන්වා දුන්හ. එයින් සේවකයින්ගේ එක්සත් ශක්තිය පසුබෑමකට ලක්වූයේය.

මිනිසා අනෙකුත් සත්වයින්ගෙන් වෙන්වී සුවිශේෂ තත්වයකට පත්වූයේ නිවැරදිව අදහස් හුවමාරු කරගත හැකි භාෂාවකුත්, ලිවීමේ කියවීමේ හැකියාවත්, නිෂ්පාදන සබඳතාත්, සංවිධානය වී ජීවත්වීමත් හේතුකොට ගෙන බව පිළිගත යුත්තකි. වඩාත් කැපී පෙනෙන ලෙස සංවිධානය වූයේ ශ්‍රමය විකුණා ජීවත්වන කම්කරුවන්ය. වෘත්තීය සමිති ව්‍යාපාරයේ ඉතිහාසය ඔවුන්ගේ ඉතිහාසයයි.

ලොවපුරා විසිරී ඇති හිරු එළිය එක්තැන් කළ විට ඕනෑම දෙයක් දවා හටකළ හැකි ලේසර් කිරණ ඇතිවන්නේය. කම්කරුවන්ගේ සාමූහික ශක්තිය ඒකරාශී කළ විට ද ආණ්ඩු දනගැස්සවීමට පවා හැකිවූ බව 1958 අගෝස්තු හර්තලයෙන් සනාථවෙයි. එවෙන්ම රටක සමාජ සංවර්ධනයට හා ආර්ථික නිදහස දිනා ගැනීමට වැඩ කරන ජනතාවගේ එක්සත්කම අත්බැසීමට වැදගත් වන්නේය. වෘත්තීය සමිති ව්‍යාපාරයේ ඉතිහාසයත් සමාජ සංවර්ධනයේ ඉතිහාසයත් අතර ඇත්තේ වෙන් කොට දැක්විය නොහැකි සබඳතාවකි.

1954 පමණ කාලය දක්වාම සමස්ත ලංකා තැපැල් යහ විදුලි පණිවුඩ සේවක සංගමය මුළු දිවයිනේම තැපැල් සේවකයින්ට කිඳුණු එකම සංවිධානය වූවා සේම, අදත් දිනාගත් හැම අයිතියක්ම එම සංගමයේ උත්සාහයෙන් ලබා ගන්නා ලද ඒවා බව අවිවාදයෙන් පිළිගැනේ.

සෑම රාජ්‍යයකටම ස්වාභාවික හා සම්මත දේශසීමාවන් ඇත්තේය; සමාජ ක්‍රමයක් ඇත්තේය; සංස්කෘතියක් ඇත්තේය. සංස්කෘතිය නිසා ජාතියක් ඇතිවන්නේය. එය අපේ රටට ද පොදුය. රජය මුළු මහත් ජනතාවගේ උත්තරීතර සංවිධානය වන්නේය. එක්තරා කාලසීමාවකට රජය පවත්වා ගෙන යාමට ජනතාව විසින් ආණ්ඩුවක් පත්කර ගැනීම ප්‍රජාතන්ත්‍රවාදී රටවල සිදු වන සම්ප්‍රදායිකයකි. රාජ්‍යය සංකේතවත් කරන රජ කෙනෙක් සිටිය ද එවැනි රටවල පවා මහජන නියෝජිතයින්ගෙන් සෑදුම් ලත් ආණ්ඩුවක් ද තිබේ. එය ජනතාවගේ පරමාධිපත්‍යයයි. එබැවින් වෘත්තීය සමිතිවලට සටන් කිරීමට සිදුවන්නේ ආණ්ඩුව සමග මිස රජය සමග නොවේ. ආණ්ඩුව එක්තරා පක්ෂයක සංවිධානයක් මිස උත්තරීතර සංවිධානයක් නොවන බව 20 වන සියවස වන විට වැඩ කරන ජනතාව තේරුම් ගත්හ.

1966 ජනවාරි 8 වෙනිදා ශ්‍රී ලංකාවේ ඇතිවූ සංකේත වැඩවර්ජනයේදී වැඩට නොපැමිණි සේවකයින් දහස් ගණනින් සේවයෙන් පහ කරන ලදී. ඊළඟට පත්වූ ආණ්ඩුව එම සේවකයින් වන්දිත් සමග නැවත සේවයේ පිහිටු විය. එවැනි ක්‍රියාවන්හිදී ආණ්ඩුව මිස රජය වගකිවයුතු නොවේ. මේ නිසාම 21 වන සියවසට සාර්ථක ලෙස පිවිසීමට වෘත්තීය සමිති ව්‍යාපාරයට යාවත් කාලීන සමාජ පසුබිමක් හොඳින් ගැසිය යුතුය. එය ජාති හේද, භාෂා හේද ශ්‍රේණි හේද, දේශපාලන පක්ෂ හේදවලින් තොරවූ එක් සේවාවක යෙදී සිටින සියලුම සේවකයින්ගේ අයෝග්‍ය සංවිධානය බවට පත්වූ සැබෑ වෘත්තීය සමිතියක අවශ්‍යතාවයි. වැඩ කරන ජනතාවට ලැබිය හැකි භෞදම ජයග්‍රහණය එය වන්නේය. එසේ එක්සත්වූ විට අනෙකුත් ජයග්‍රහණයන් ළඟා කරගත හැකිය.

වෘත්තීය සමිති ව්‍යාපාරයට සිය වසරක් පිරෙන මෙම අවස්ථාවේදී අපි සකලවිධ වැඩ කරන ජනතාවගෙන් ඉල්ලීමක් කරමු. අපේ ආගම, ජාතිය, කුලය, භාෂාව, ශ්‍රේණිය එක් එක් පුද්ගලයාට අයත් පෞද්ගලික පැවතුම් මිස

ඒවා වෘත්තීය සමිති ව්‍යාපාරය තුළින් සහමුලින්ම බැහැර කොට ශ්‍රමිකයින් වශයෙන්, එකම වැඩ කරන මිනිසුන් වශයෙන් එක්සත්ව සාමූහික ගත්කිය කෙරෙහි විශ්වාසය තබා සැබෑ වෘත්තීය සමිති සංවිධානයක් ගොඩනගා ගැනීම තුළින් ඔවුන්ට ප්‍රභාශ්වර අනාගතයක්, වඩා හොඳ ජීවත්වීමේ පරිසරයක් දිනාගන්නා ලෙස ඉල්ලා සිටිමු.

එය යුගයේ අවශ්‍යතාවකි. වැඩ කරන ජනතාවගේ ජයග්‍රහණයකි. වෘත්තීය සමිති ව්‍යාපාරය 101 වන වසරට පිය තබන විට අපේ එම අයිස්ඨානය කඩද හෝ මල්පල ගන්වමුයි දිවුරුම් දී පිය තබමු.

සෑම සමාජ ක්‍රමයක් තුළම වෘත්තීය සමිතිය ප්‍රබලතම බහුජන සංවිධානය බවට පත්වේ. වැඩකරන ජනතාව රටේ ආර්ථිකයේ පැවැත්මට සැබෑ ලෙස දයක වන්නාවුන්ය. ශ්‍රී ලංකාවේ වතුකම්කරුවන්ගේ අරගලය එයට හොඳම සාක්ෂියකි. රජයේ කායාර්ථවල ද, පෞද්ගලික ආයතනවල ද නිෂ්පාදන බලවේගයේ කොටස්කරුවා යන්නට තොව මිනිසුන්ය. යන්ත්‍ර මිලයට ගන්නා ආකාරයෙන් කම්කරුවන් මිලයට ගැනීම නිසා වෘත්තීය අරගලවලට මුලපිරේ. මෙහිදී සේව්‍ය සේවක සහයෝගීතාව බිඳ වැටීම වලක්වා ගැනීමට වෘත්තීය සංගම් මෙන්ම ය්වාමි පක්ෂය ද දයක විය යුත්තේය.

ආදර්ශමත් ස්වාමියා වන රජය වැඩකරන ජනතාව බැහැර කොට ආණ්ඩුවට ආධාර කරන ව්‍යාපාරිකයින්ගේ පැත්ත ගැනීම පසුගිය සියවස තුළ සිදුව ඇත. රාජ්‍ය ප්‍රතිපත්ති රැකගැනීම සඳහා ද වැඩ කරන ජනතාව කළ අරගල මෙම සියවසේ ඉතිහාසයෙහි එමට ඇත. රජය පවත්වාගෙන යාමට ජනතාව තෝරා පත් කළ ආණ්ඩුව රජයේ සේවකයා කෙරෙහි නොසැලකිලිමත් වුවහොත් හෝ දඩබ්බර වුවහොත් හෝ ආණ්ඩුවෙන්, වැඩ කරන ජනතාවගෙන් ගැටුම් සිදුවී රජයේ උත්තරිතර ස්වභාවයට හානිකරවන අවස්ථා ද අප දැක තිබේ.

1980 ජූලි වැඩ වර්ජනයට සහභාගිවූ වෘත්තීය සමිති කායාර්ථ සිල් තබා, බැංකු ගිණුම් තහනම් කොට ඉහළම මර්දනය පැනවීය. ඒ තුළින් වෘත්තීය සමිති ව්‍යාපාරයේ ක්‍රියාශීලී නායකයින් සේවයෙන් ඉවත්කර දමන ලදී. ශ්‍රී ලංකා සංවිධිත වෘත්තීය සමිති ව්‍යාපාරය හැර අන් සමිති ආගිය අතක් නැති විය. එහෙත් ලෝක කම්කරු සම්මේලනය නියෝජනය කරන වෘත්තීය සංගම් එක්සත් ජාතීන්ගේ සංගමයේ අනුමැත්තලයක් වන ජාත්‍යන්තර කම්කරු සංවිධානයට පැමිණිලි කිරීමෙන් පසු රාජ්‍ය ප්‍රතිපත්තියට පටහැනි ක්‍රියා ආණ්ඩුව විසින් සිදුකර ඇති බව පිළිගන්නා ලදී. ශ්‍රී ලංකා රජය ජාත්‍යන්තර කම්කරු ප්‍රඥප්තිය හා මානව අයිතිවාසිකම් පිළිබඳ විශ්ව දුකාගනය රාජ්‍ය ව්‍යවස්ථාවෙන් පිළිගෙන තිබියදී ආණ්ඩුව කළ එයට පටහැනි ක්‍රියාවන් එකින් එක ඉවත් කරමින් වක්‍රලේඛ නිකුත් කරන්නට විය.

අවසානයේ සිල් නැඹු කායසාලයන් විවෘත කර දුන්හ. භිහ වැටුප් ද ලබා දීමට සිදුවිය. මෙය වෘත්තීය සමිති ව්‍යාපාරයේ ජාත්‍යන්තර සබඳතාවන්ගේ පසුග්‍රහණයකි.

21 වෙනි සිය වසේදී අප රටේ වෘත්තීය සමිති ව්‍යාපාරය ජාතික හා ජාත්‍යන්තර මට්ටමින් වඩාත් සමීපවූ දැවැන්ත බහුජන සංවිධානයක් බවට පත්කර ගැනීමට සමත්වෙමු. ප්‍රාර්ථනා කරමු.

එද සහ අද වෘත්තීය සමිති හා කම්කරුවා

සී. ඒ. ඇල්. සිරිවර්ධන
එක්සත් ජාතික කම්කරු සමිතිය

වෘත්තීය සමිති ව්‍යාපාරයට අවුරුදු 100ක් ගතවීමත් සමගම ශ්‍රී ලංකාවේ වෘත්තීය සමිති ඉතිහාසය ගැන සිත යොමු කළ යුතු අතර අද අපේ වෘත්තීය සමිති ව්‍යාපාරය කොයිබද ? යන්න පිළිබඳව සිත් යොමු කළයුතු යැයි මම සිතමි.

19 වන ශත වර්ෂයේ මුල් භාගයේදී බ්‍රිතාන්‍ය කම්කරුවන්ගේ ඒකරාශී වීමත්, බ්‍රිතාන්‍ය සේවා යෝජකයාගේ සුරාකෑමට විරුද්ධව නැගී සිටීමත් නිසා මුල්ම වෘත්තීය සමිති ව්‍යාපාරය ඇරඹුනේ බ්‍රිතාන්‍යයෙන් බව කීම අනිශ්චයත්වයක් නොවේ.

ලංකාවේ ප්‍රථම වරට වෘත්තීය සමිති ව්‍යාපාරයක් ගැන සඳහන් වන්නේ ඒ. ඊ. බ්‍රැස්පන්ස් මහතා විසින් 1893 ජූලි මාසයේ ප්‍රකාශයට පත්කළ ස්වාධීන කතෝලිකයා නම් සඟරාවේය. මෙම කාලයේදී දෙස්තර ලිස්බෝ පින්ටෝ විසින් ක්‍රියාකාරීවීමෙන් ලංකා ඉතිහාසයේ පළමුවරට ලංකා මුද්‍රණකරුවන්ගේ සංගමය බිහිකරමින් 1893 ලංකාවේ පළමුවන වැඩ වර්ජනය කේවස් සහ සමාගමින් බිහිවී ලංකාවේ මුද්‍රණකරුවන්ගේ ඉතිහාසයට එක්විය. ඉන්පසු 1906 දී කොළඹ නාගරික සභාවෙන් පනවන ලද අතුරු නීතිවලට විරුද්ධව ගෙනගිය කරත්තකරුවන්ගේ වැඩ වර්ජනයයි. මේ වැඩ වර්ජනයට කරත්තකරුවන් 500ක් පමණ සහභාගිවීමත් තෙදින සටනකින් ලබාගත් ජයග්‍රහණය අද අප කම්කරුවන්ට ද හොඳ පාඩමකි. එය එකා මෙක් එකට සටන් කිරීම ජයග්‍රහණයට මහ බව ඔප්පු කිරීමකි.

ඉන්පසු සමස්ත ලංකා වෘත්තීය සමිති ව්‍යාපාරයේ නායකයා 1928 දී ලන්ඩන් නුවර පැවැත්වූ සාකච්ඡාවෙන් රජයේ සේවකයින්ට පොදු ඉල්ලීම් ඉදිරිපත් කරන ලදී. ඒවා මෙසේයි :- 1. වෘත්තීය සමිති පිළිගැනීම, 2. වෘත්තීය සමිති සංවිධාන කිරීම, 3. කම්කරු වන්දි, 4. අවම වේතන, 5. තරණ හෙවත් බේරුම්කරුවන් කාර්මික ආරවුල් විසඳීම සඳහා පත්කිරීම, 6. ප්‍රසූති නිවාඩු (පහසුකම්) 7. විශ්‍රාම වැටුප්, මෙය ද විශේෂ ජයග්‍රහණයක් බව කිව යුතුය.

ඉන්පසු ක්‍රමයෙන් කම්කරු අරගලවලට නායකත්වය දුන් නායකයින් අතරට පිලිප්, එන්. එම්, වික්‍රමසිංහ යන අය ද ඉතිහාසයට එක්විය. මෙම යුගයේ දී කම්කරුවන්ගේ එකමුතුභාවය බිදීමත්, වෘත්තීය සමිති බිදීමත් ඇතිවූ යුගයක් යැයි මට හැඟේ. කම්කරුවන් දේශපාලන පක්ෂවලට බෙදීමත්, කම්කරු නායකයින්ගේ බෙදීම් අනුව කම්කරුවන් ද බෙදීයාමත්

සිදුවිය. මෙම හේතුවෙන් කම්කරුවන් ඇත කොටා ගැනීම ඇරඹුනේ මේ යුගයේ දීය. මෙය වෘත්තීය සමිති ව්‍යාපාරයේ කම්කරු ජයග්‍රහණ පසුබෑමට තුඩුදුන් ක්‍රියාවක් විය. එක රතු ධජයක් යටතේ ලෝක කම්කරු වන්නට එක්වීමට කථා කළ අප කම්කරුවන් තම පංතිය පවා හඳුනා ගත නොහැකිව ඇත කොටා ගනිමින් කම්කරුවාගේ උතුම් ම දිනය වූ ලෝක කම්කරු දිනයේ පෙළපාලි ගියේ තම වෘත්තීය අයිතීන් සහ ඕනෑ එපාකම් අනුව නොව දේශපාලන නායකයින්ට උවමනා ආකාරයට හා දේශපාලන මත හේදකම් පෙන්නුම් කරමිනි. මේ හේතුව නිසාම ඇමරිකාවේ විකාශෝ තගරයේ කම්කරුවන්ගේ ලේ වලින් තෙත්වී රත්පැහැගත් ධජය වෙනුවට නිල්, කොළ, රතු ආදී සමතල වර්ණ එකතුවිය. කම්කරුවෝ තම පංතියට විරුද්ධව එක එකාට වෝදනා කරමින් ක්‍රියා කළහ. එකෙකු තම අයිතීන් වෙනුවෙන් සටන් වදින විට තව එකෙකු දේශපාලන එදිරිවාදිකම් නිසා එය කඩාකප්පල් කළේය. මේ හේතුවෙන් අද ශ්‍රී ලංකාවේ වෘත්තීය සමිති ව්‍යාපාරය අධිපත වී ඇත. වෘත්තීය සමිති මගින් කම්කරුවන් ලබාගත යුතු අයිතීන් රැසක් ඔවුන්ට නොලැබිණ.

ලෝක කම්කරුවන්ට එක්වීමට කථාකරන අප නායකයින් කිවයුත්තේ 'ලාංකික කම්කරුවන් එකතුව' යනුවෙන් බවට එකී නායකයින්ගේ ඇස් පාද දිය යුතුය. නැත්නම් ඔවුන්ගෙන් වෙන්වී ස්වාධීන වෘත්තීය සමිති මගින් වෘත්තීය අයිතීන් ලබාගන්නා කාලය එළඹී ඇතැයි මට සිතේ.

95 දී අධිසිය වස සපුරන තැපැල් සහ විදුලි සංදේශ නිලධාරීන්ගේ සංගමය

නි. ප. හෙට්ටිආරච්චි

ප්‍රධාන ලේකම්

තැපැල් හා විදුලි සංදේශ නිලධාරීන්ගේ සංගමය.

ලංකා තැපැල් ස්ථානාධිපති සංගමය ලෙසින් 1945 දී අරඹන ලද තැපැල් හා විදුලි සංදේශ නිලධාරීන්ගේ සංගමය පිළිබඳව තොරතුරු බිඳක් හෙළිදරව් කිරීමට ඉඩ සැලසීම ගැන ප්‍රථමයෙන් ම ලංකා සේවක අධ්‍යාපන කාරකයන්ගේ සංගමයට ස්තුතිය පළකර සිටිමි.

සංගමය පිහිටවූ වර්ෂයේදීම තැපැල් ස්ථානාධිපතින්ට වැටුප් වැඩිවීමක් හා නිලනිවාස ලබා දීමට සමත්වීමෙන් ම සංගමයේ ක්‍රියාකාරීත්වය හා ශක්තිය පිළිබඳව එහි උපතේදීම ප්‍රදර්ශනය විය. සංගමයේ පුරෝගාමීන් වූයේ ආරම්භක සභාපති හා ලේකම් පදවි දැරූ ඒ. ණමන්දර් හා පී. එන්. ඊ. ද සිල්වා යන සොහොයුරන් දෙපලය.

1947 ගාලුමුවදොර පිටියේ පැවති සමස්ත ලංකා වෘත්තීය සමිති සමුළුවට ද, එම වර්ෂයේ ම පැවති රාජ්‍ය සේවක වැඩවර්ජනයට ද අපි සහභාගිවීමු. එහි රැස්වීම ඇමතීම සම්බන්ධයෙන් එවකට අප සභාපති ඒ. ණමන්දර් සභෝදරයාගේ වැඩ අත්හිටුවන ලදී. වර්ජනය දියත් කරන ලද්දේ පී. එච්. පී. විජේසූරිය සභෝදරයාගේ නායකත්වයෙනි. කෙසේ වෙතත් වැඩ වර්ජනය දිගු කලක් ගෙන යාමට නොහැකිවූ අතර එය සංවිධානය කළ ක්‍රියාකාරීන් ඉෂ්කර පළාත්වලට මාරුකරවීම වැනි පළිගැනීම්වලට ගොදුරු කරනු ලැබුහ. මෙම කටුක අත්දැකීමෙන් සංගමය එද පසුබෑමට ලක්වූව ද වසරක කාලයක් වනවිට 1948 වන විට ප්‍රධාන ලේකම් පී. කනගරත්නම්ගේ සංවිධාන ශක්තිය මත සංගමයේ සාමාජිකත්වය 700 දක්වා වැඩිකර ගැනීමට හැකිවූ අතර 1948.08.20 දින අංක 261 යටතේ සංගමය ලියාපදිංචි කරනු ලැබීමෙන් නීත්‍යානුකූල සංගමයක් ලෙස පිළිගැනිණ.

සෙසු වෘත්තීය සමිති සමග සහයෝගයෙන් කටයුතු කිරීම සිය පිළිවෙත කරගත් සංගමය 1954 දී තැපැල් හා විදුලි සංදේශ එක්සත් පෙරමුණ බිහි කිරීමට පුරෝගාමී විය. තැපැල් හා විදුලි සංදේශ නිලධාරීන්ගේ සංගමයේ නිර්මාතෘවරයා වූ ද එවකට සංගමයේ නිලධාරියෙකු ද වූ අසභාය වෘත්තීය සමිති නායක පී. ඩී. ඩී. විල්ප්‍රඩ් පෙරේරා සොයුරු එකී එක්සත් පෙරමුණේ සභාපති පදවිය දැරූ අතර උපාලි එස්. ජයසේකර සොයුරු එහි ලේකම් වරයෙකු ලෙස කටයුතු කෙළේ ය.

මුලින් සමස්ත ලංකා රාජ්‍ය සේවා වෘත්තීය සමිති සම්මේලනය ලෙසින් ද පසුව රාජ්‍ය සේවා කම්කරු වෘත්තීය සමිති සම්මේලනය නමින් ද හැඳින්වුණු රාජ්‍ය සේවක සමිති සංවිධානයේ කටයුතුවලට අප සහභාගිවූයේ පුළුල් වශයෙන් සමගිය තහවුරුකර ගැනීමේ අභිලාෂයෙනි. මෙම සම්මේලනයේ ප්‍රධාන ලේකම් තනතුර අවුරුදු හයක් කිසියම් දරන ලද්දේ තැ.වි.නි.ස සභාපති විල්ප්‍රඩ් පෙරේරා සොයුරු විසිනි. එහෙත් පසුව පැන නැගුණු මතභේද නිසා 1964 දෙසැම්බර්වලදී අප සංගමය එම සම්මේලනයෙන් ඉවත්විය.

වෘත්තීය සමිතියක ප්‍රධානත්වයෙන් නිවාස යෝජනා ක්‍රමයක් ප්‍රථමයෙන්ම ආරම්භය වූයේ 1954 දී තැපැල් ස්ථානාධිපති සංගමයේ මුලිකත්වයෙන් පිහිටුවන ලද එම යෝජනා ක්‍රමයේ සාර්ථකත්වයට බත්තරමුල්ලේ හා ගල්කිස්සේ ඇති තැපැල් ස්ථානාධිපති නිවාස යෝජනාක්‍රම නිදසුන් වේ.

තැපැල් දෙපාර්තමේන්තුවේ සේවා කටයුතු ගැන පරීක්ෂණයක් කරන ලෙස අප ගෙනගිය උද්ඝෝෂණයේ ප්‍රතිඵලයක් වශයෙන් 1956 දී පී. ඩී. ප්‍රනාන්දු මහතාගේ සහභාගිත්වයෙන් පරීක්ෂණ කමිටුවක් පත් කරන ලද අතර එවකට අප සංගමයේ සහකාර ලේකම්වරයෙකු වූ විල්ප්‍රඩ් පෙරේරා සහෝදරයා එම කමිටුවේ සාමාජිකයෙකු ලෙස මහඟු සේවයක් ඉටු කෙළේය. මෙම පරීක්ෂණ කමිටුවේ නිර්දේශයක් මත තැපැල් දෙපාර්තමේන්තුවේ සේවා තත්ත්වයන් දියුණු කිරීමට වැදගත් පියවර රැසක් ගනු ලැබීය.

සංගමයේ ඉල්ලීම පරිදි 1958 දී අරඹන ලද තැපැල් ස්ථානාධිපතින්ගේ ස්ථාන මාරු මණ්ඩලය, මෙරට රාජ්‍ය සේවයේ ප්‍රථමයෙන්ම ආරම්භ කරන ලද ස්ථාන මාරු මණ්ඩලය විය. පසුව වෙනත් දෙපාර්තමේන්තු විසින් ද එකී මණ්ඩලය ආදර්ශයට ගෙන එම දෙපාර්තමේන්තු සඳහා ස්ථාන මාරු මණ්ඩල ඇති කරන ලදී. තැපැල් ස්ථානාධිපති ස්ථාන මාරු මණ්ඩලය වෘත්තීය සමිති නියෝජිතයින්ගෙන් ද සමන්විත වන අතර අද දක්වාම සාර්ථක ව ක්‍රියාත්මක වෙමින් පවතී.

අද ශ්‍රී ලංකා තැපැල් සහ ව්‍යුලි සංදේශ සේවා සංගමය නමින් හැඳින්වෙන වෘත්තීය සමිතිය බිහිවීමට හේතුවූයේ 1958 දී පැවැති රාජ්‍ය සේවක වැඩ වර්ජනයට අප සහභාගිවීමට තීරණය කිරීමය. රජයට පක්ෂපාතීත්වය දැක්වූ කිප්පොත් එම තීරණයට විරුද්ධව අප සමිතියෙන් අස්වී එම අතුරු සමිතිය පිහිටුවා ගත්හ. කෙසේ හෝ එම රාජ්‍ය සේවක වැඩ වර්ජනයේදී දින 13 ක් තුළ අභිත සටනක් ගෙන යාමට අප සමිතිය සමත් විය.

තැපැල් හා ව්‍යුලි සංදේශ නිලධාරීන්ගේ සංගමයේ සුබසාධක හා යහසාධක යෝජනා ක්‍රමය ආරම්භ කරන ලද්දේ 1961 වර්ෂයේදීය. අප රටේ වෘත්තීය සමිති විසින් ආරම්භ කරන ලද ප්‍රථම සුබසාධක යෝජනා ක්‍රමය මෙය යැයි පැවසීමට අපට හැකියාව ඇත.

මගින් රු. 205939.75 ක පොලී රහිත ණය මුදලක් සපයන ලදී. ඇමෙරිකානු ආසියානු නිදහස් කම්කරු ආයතනය ද රුපියල් 142392/- ක මුදලක් මේ සඳහා පරිත්‍යාග කරන ලදී. ගොඩනැගිල්ලට මුල්ගල තබන ලද්දේ 1970.08.26 දින දීය. එවකට ගරු අගමැති සිරිමාවෝ බණ්ඩාරනායක මහත්මිය වෙනුවෙන් ගරු තැපැල් ඇමැති සී. කුමාරසූරියර් මහතා විසින් මුල්ගල තබන ලද අතර 77.11.20 දින එහි ප්‍රථම අදියර විවෘත කරනු ලැබුයේ තැපැල් ඇමැති ජෙල්ටන් ජයසිංහ මහතා විසින් ය. මෙම ගොඩනැගිල්ලේ මහල් 7න් 3 ක වැඩ නිමවා ඇති අතර ඉතිරි මහල් හතරෙහි වැඩකටයුතු ඉතා ඉක්මනින් නිම කිරීමට දැන් කටයුතු කර ගත යනු ලැබේ. දැනුණු විවිධ වෘත්තීය සමිතිවලට සිය රැස්වීම්, සම්මේලන හා සම්මන්ත්‍රණ පැවැත්වීමට මධ්‍යස්ථානයක්ව පවතින තැවිනිය මන්දිරයේ වැඩ නිමවූ විට එය මෙරට සියලුම වෘත්තීය සමිතීන් එක්සත් කිරීමේ මධ්‍යස්ථානය වනු ඇතැයි ප්‍රාර්ථනය කරමු.

ලිපිය දීර්ගවීම වළක්වා ගැනීම පිණිස තැවිනිය විසින් සිය සාමාජිකයින්ට සලසන ශුභසාධක සේවා සමහරක් ගැන පමණක් සඳහන් කර එය අවසාන කිරීම උචිත යැයි සිතමි. තැවිනිය සාමාජිකයින්ට මරණාධාර ක්‍රමයක්, විවාහ දීමනා හා අයනිපව රෝහල් ගතවූවන්ට දීමනා ද හිමිවේ. මීට අමතරව මනාපය පරිදි බැඳිය හැකි විශ්‍රාම දීමනා ක්‍රමයක් ද ඇත. ඒ යටතේ සිය රැකියාව ආරම්භයේදී විශ්‍රාම දීමනා ක්‍රමයට බැඳෙන සාමාජිකයකුට, විශ්‍රාම යන විට රු. 65000/- ක විශ්‍රාම දීමනාවක් ලබා ගැනීමට අවකාශ තිබේ. මෙම ශුභසාධක ක්‍රම තවත් පුළුල් කිරීමට තැවිනිය ගොඩනැගිල්ලේ වැඩ නිමවූ විට හැකි වේයැයි තැවිනිය බලාපොරොත්තු වෙයි.

පසුගිය දශකය තුළ උපාලි එස්. ජයසේකර සොයුරා සභාපති වශයෙන් ද, කේ. එස්. කරුණාරත්න, අයි. එස්. සේනානායක හා ජී. එච්. ඒ. ද සිල්වා යන සොහොයුරන් ප්‍රධාන ලේකම්වරුන් වශයෙන් ද එම්. තුරෙසිනේ, එස්. විජයවන්දන යන සොහොයුරන් භාණ්ඩාගාරිකවරුන් වශයෙන් ද, ආනන්ද විජේසිංහ සොයුරා සංස්කාරක වශයෙන් ද තැපැල් හා වියුලි සංදේශ නිලධාරීන්ගේ සංගමය මෙහෙයවා ඇත. අද ඩී. ඩබ්ලිව් පොත්තම්පෙරුම් සොයුරා සභාපති ලෙස ද, නී. ප. හෙට්ටිආරච්චි සොයුරා ප්‍රධාන ලේකම් ලෙස ද, ටී. ශ්‍රීධරන් සොයුරා භාණ්ඩාගාරික ලෙස ද, පී. මානගේ සොයුරා සංස්කාරක ලෙසින් ද එහි නායකත්වය දරමින් සංගමය මෙහෙයවයි. තැපැල් හා වියුලි සංදේශ සේවා නංවාලමින් එහි සේවය කරන සිය සාමාජිකයින්ගේ වෘත්තීය අයිතිවාසිකම් පුරුකීම මෙන්ම ඔවුන්ගේ ජීවන තත්වය නංවාලීම සිය සුවිශේෂ වගකීම ලෙස සලකන තැවිනිය, එම කාර්යය සමඟම සෞඛ්‍ය වෘත්තීය සමිති සමඟ එක්වී ලංකා වෘත්තීය සමිති ව්‍යාපාරය මෙන්ම ලෝක වෘත්තීය සමිති ව්‍යාපාරය ද එක ධජයක් යටතට ගෙන ජීවම හැකි සෑම ප්‍රයත්නයක්ම දැරීමට නිරතුරුව සෑදී පැහැදී සිටියි.

ලංකා සමුපකාර සේවක මහා සංගමයේ ගමන් මග

ඇම්. ඒ. සුගතදාස

මුදල් ලේකම්

ලංකා සමුපකාර සේවක මහා සංගමය

ශ්‍රී ලංකාව තුළ 1942 ට පෙර ණය දෙන සමුපකාර සමිති තිබුණත්, සමුපකාර කඩ සමිති තිබුණේ නැත.

දෙවෙනි ලෝක මහා සංග්‍රාමයේදී 1942 වර්ෂයේ ජපන් හමුදාව මගින් කොළඹ වරායට බෝම්බ හෙළීමෙන් පසු මුළු කොළඹ නගරය ම ජනශූන්‍ය තත්වයට පත් විය.

නගරයේ එදිනෙදා කටයුතු, ආනයන අපනයන හා මුළු වෙළඳ ක්ෂේත්‍රයම අඩාල විය. මේ ගැන සාකච්ඡා කළ එවකට යටත් විජිතයක්ව තිබූ දිවයින පාලනය කළ ආණ්ඩුකාර ලේටන් මහතා අභ්‍යන්තර ආරක්ෂක ලේකම්ව සිටි සර් ඔලිවර් ගුණතිලක මහතා කැඳවා එවකට ප්‍රබලම වෘත්තීය සමිති සම්මේලනය වූ ලංකා කම්කරු සමිති සම්මේලනයේ (පසුව ලංකා වෘත්තීය සමිති සම්මේලනයේ) නියමුවන් වූ ඇම්. ඒ. මැන්ඩස් මහතා ප්‍රමුඛ නායකයින් හමුවී, නගරයේ කටයුතු යථා තත්වයට පත්කිරීමට කම්කරු ජනතාව වැඩපලවල් කරා කැඳවා දෙන ලෙස ඉල්ලීමක් කෙළේය.

මේ ගැන සාකච්ඡා කළ එම වෘත්තීය සමිති නායකයින් කම්කරුවන් කැඳවා දීමට ඉල්ලීම් ගණනාවක් රජය වෙත ඉදිරිපත් කරන ලදී. එම ඉල්ලීම් අතර ජනතාවට සාධාරණව ද්‍රව්‍ය බෙදා හැරීමට සමුපකාර කඩ සමිති බිහි කිරීමේ යෝජනාව ද විය. එය පිළිගත් රජය සමුපකාර වෙළඳසැල් පිහිටුවීමට කටයුතු කරන ලදී.

මෙම සමුපකාර වෙළඳසැල් දිවයින පුරා පිහිටුවීමෙන් ඉමහත් සෙතක් ඇති විය. 1957 දී රජය විවිධ සේවා සමුපකාර සමිති බිහිකිරීමේ-පනතක් පාර්ලිමේන්තුවේදී සම්මත කර, ක්‍රියාත්මක කිරීමේ ප්‍රතිඵලයක් වශයෙන් ව්‍යාපාරය පුළුල්වූ අතර, එහි නියැලී සේවක සංඛ්‍යාව විශාල විය.

1961 වන විට සේවක පිරිස් වැඩිවීමත්, සේවක සුභසාධනය අල්පවීමත්, අඩුවැටුප් හා අඩු වරප්‍රසාද නිසාත් සේවක ගොනුවක් අවශ්‍ය විය. මේ ගැන සාකච්ඡා කළ එවකට සමුපකාර සේවයේ නියැලී පිරිසක් උඩ පළාත සමුපකාර කඩ සමිති සංගමයේ ගණකාධිකාරීව සිටි ජී. බී. වලිසිංහ මහතාගේ නායකත්වයෙන් කොළඹ, ජාතික සමුපකාර මණ්ඩලයට රැස්වී, සේවක සංවිධානයක් ගොඩ නැගීමට සාකච්ඡා කර, තීරණයක් ගැනීමට කටයුතු කර, 1963 දී වලිසිංහ මහතාගේ සභාපතිත්වයෙන් ලංකා සමුපකාර සේවක මහා සංගමය ගොඩ නගන ලදී.

ඉන්පසුව ක්‍රියාත්මක වූ සංගමය විසිරී සිටි සමුපකාර සේවකයින් ගොනු කිරීමටත්, සේවකයින්ගේ පාලනයට පළාත් පාලන සේවකයින්ට හා සමාන සමුපකාර සේවක කොමිෂන් සභාවක් පත්කරවා ගැනීමටත් සටන් වදින ලදී. ඒ සඳහා 1967 දී කොළඹ නගරයේ පැවැති පෙලපාලියට හා රැළියට තිස් දහයකට ආසන්න සේවක පිරිසක් සහභාගී වූ අතර පෙලපාලියට එක් ස්ථානයක් පසු කිරීමට පැය හතක් ගතවිය.

මෙම රැළියෙන් පසු එවකට සමුපකාර ඇමතිව සිටි ඇම්. ඩී. බණ්ඩා මහතා සංගමයේ ක්‍රියාකාරීත්ව වහාම සාකච්ඡාවකට කැඳවා, ඉල්ලීම් ගැන සාකච්ඡා කර, විසඳුම් සෙවීම සඳහා කමිටුවක් පත් කරන ලදී. එම කමිටුව නියෝජනය කිරීම සඳහා සභාපති වලිසිංහ මහතා ද පත්කරන ලදී.

කමිටුවේ වැඩ කෙරෙහිත් පවතින අතර, රජය විසුරුවා හැරීමෙන් එය ද අඩාල විය. ඉන්පසුවට නොවූ සංගමය ඉල්ලීම් ගැන දිගින් දිගට ම උද්ඝෝෂණය කරන ලදී. එහි ප්‍රතිඵලයක් වශයෙන් 1970 දී පත්වූ රජය ප්‍රවීන සමුපකාරිකයෙකු වූ ඒ. එස්. ලේඩ්ලෝ මහතාගේ සභාපතිත්වයෙන් හා ඉන්දියාවේ පුරි මහතා ඇතුළු අයගෙන් ද සමන්විත වූ කොමිෂන් සභාවක් පත්කරන ලදී. එම කොමිෂම ඉදිරියේ ලංකා සමුපකාර සේවක මහා සංගමය මසකටත් අධික කාලයක් කරුණු ඉදිරිපත් කරමින් සාක්ෂි දෙන ලදී. සංගමයේ සාක්ෂි අවසානයේදී කොමිෂමේ සභාපතිතුමා ප්‍රකාශයක් කරමින්, ඉතාම අසරණ තත්ත්වයෙන් සේවය කරන ලාංකික සමුපකාර සේවකයින් වෙනුවෙන් එඩිතරව කොමිෂමට කරුණු දැක්වීම ගැන සංගමයට ප්‍රශංසා කරන ලදී.

එම කොමිෂමේ වාර්තාව නිකුත්වීමෙන් පසු එම නිර්දේශයන් ක්‍රියාත්මක නොකළ රජය ටැන්සානියාවේ සමුපකාර සේවක කොමිෂමට සමාන සමුපකාර සේවක කොමිෂන් සභාවක් පත් කරන ලදී. සංගමයේ ඉල්ලීම් ලේඩ්ලෝ කොමිෂමෙන් නිර්දේශ කර තිබුණත්, එයින් අඩක්වත් ක්‍රියාත්මක නොවීය.

සංගමයේ ජයග්‍රහණයන් :-

1. සියයට සියයක් අංග සම්පූර්ණ නොවූවත්, සේවක පාලනයට කොමිෂමක් පත් කරවා ගැනීම.
2. සේවකයින්ට ගොනුවීමට පළල් විවිධ සේවා සමුපකාර සමිති ක්‍රමයක් ලබාගැනීම.
3. සම්පූර්ණයෙන්ම අංග සම්පූර්ණ නොවූවත්, කිසියම් වැටුප් ක්‍රමයක් ලබාගැනීම.

4. පැය අටේ සේවය ලබා ගැනීම.
5. ස්ථිර නිවාඩු ක්‍රමයක් (අංග සම්පූර්ණ නොවූවත්) ලබාගැනීම.
6. පසුව නැවත විවිධ සේවා සමුපකාර සමිති කුඩා ඒකක බවට පත්කිරීමට රජය ගෙන ගිය වැඩ පිළිවෙල පරාජය කිරීම.
7. සමුපකාර සේවකයන් උදෙසා යළිත් කාර්මික ආරවුල් පනත ක්‍රියාත්මක කරවා ගැනීම.
8. විශ්‍රාම පාරිතෝෂික නව ක්‍රමයක් ලබා ගැනීම.

ඉදිරි වැඩ පිළිවෙල :-

ඉදිරියේදී සමුපකාර ව්‍යාපාරය සුරකිමින් සේවකයින්ට පහත සඳහන් ඉල්ලීම් ලබාදීමට කැපවීමෙන් කටයුතු කිරීම.

1. සමුපකාර සේවකයින්ගේ අවම වැටුප රුපියල් 2000/- දක්වා වැඩි කළ යුතුයයි ඉල්ලා සිටිමු.
2. සේවක අර්ථ සාධක අරමුදල මණ්ඩලයක් යටතට පත් නොකරන්නැයි ඉල්ලා සිටිමු.
3. සේවක අර්ථ සාධකයට ගෙවන පොලිය 17% දක්වා වැඩිකරන ලෙස ඉල්ලා සිටිමු.
4. සේවක අර්ථ සාධක දයකත්වය සේවයාගෙන් 20% ක් සහ සේවකයාගෙන් 15% දක්වා වැඩි කරන ලෙස ඉල්ලා සිටිමු.
5. සමුපකාර සේවකයින්ගේ ඇප මුදල් තැන්පත් කිරීමේදී ඉහළම පොලියක් ගෙවන රාජ්‍ය බැංකුවක තැන්පත් කිරීමට නොහැකි වනසේ පනවා ඇති සම්බාධක ඉවත් කරන ලෙස ඉල්ලා සිටිමු.
6. සමුපකාර සේවකයින් සඳහා වාර්ෂික නිවාඩු දින 42 දක්වා වැඩි කරන ලෙස ඉල්ලා සිටිමු.
7. සමුපකාර සේවිකාවන්ට ප්‍රසූති නිවාඩු ලබා දීමේදී ප්‍රසූතිකාධාර පනතේ සඳහන් ප්‍රකාර පොදු නිවාඩු අත්හැර, නියමිත දින ගණන නිවාඩු ලබා දිය යුතුයයි ඉල්ලා සිටිමු.
8. වැඩිවන සෑම ජීවන අංකයකටම රුපියල් 5/-ක් වනසේ ගෙවන ලෙස ඉල්ලා සිටිමු.

9. සමුපකාර සේවක වැටුප් සඳහා රජයේ දායකත්වය ලබා දෙන ලෙස ඉල්ලා සිටිමු.
10. භාල්, පීටි, සහ සිනි සඳහා පිරිවැටුම් බදු සහනය ලබා දෙන ලෙස ඉල්ලා සිටිමු.
11. අනාගත සමුපකාර නායකත්වය ගොඩනැගීම සඳහා අවශ්‍ය සංවිධාන ඇති කිරීම, මෙහෙයවීම සහ ක්‍රියාත්මක කිරීමත්, සමුපකාර සමිතිවලට ඵවැනි කටයුතු සඳහා සහාය වීමත්, ළමා, ගිණ්‍ය, තරුණ, සහ වැඩිහිටි කණ්ඩායම් ඇසුරු කරගත් කටයුතු වලදී සම්බන්ධවීමත්, සහායවීමත් සඳහා සංගමය මූලිකත්වය ගත යුතුයයි ඉල්ලා සිටිමු.
12. සමුපකාර සමිතිවල අධ්‍යක්ෂ මණ්ඩලය සඳහා සේවක අධ්‍යක්ෂ වරයෙකු පත් කිරීමට හැකි වනසේ විධිවිධාන පනවන ලෙස ඉල්ලා සිටිමු.

දැනට අප සංගමයේ සම්මේලන වාර 16ක් පවත්වා ඇත. සමුපකාරය මගින් සිය සේවකයන් උදෙසා විනය නීති තීරක කරන, සාප්පු හා කාර්යාල ආරවුල් හා කම්කරු නීති ගැන දැනුවත් කිරීමේ ජාතික වැඩමුලු ද පවත්වා ගෙන යනු ලැබේ. සේවකයින් සඳහා සුභසාධක ක්‍රමයක් ද ක්‍රියාත්මක වෙයි.

වෘත්තීය සමිති ව්‍යාපාරයට සියක් වසරක් පිරීම නිමිත්තෙන් සේවක අධ්‍යාපන කාරකයන්ගේ සංගමය මගින් පළ කරන ග්‍රන්ථයට ලිපියක් සැපයීමට හැකිවීම ගැන සතුටුවෙමි.

වෘත්තීය සමිති සියවස

ජෝර්ජ් මෙන්ඩිස්

උප සභාපති

සේවක අධ්‍යාපනකාරකයන්ගේ සංගමය

සංවිධානාත්මක නොවූ සුළු ගොවීන්

ශ්‍රී ලංකාවේ පවත්නා අධ්‍යාපනකාරකයන්ගේ සංගමය ලෝකයේ පවතින සංගම් ලීන් ප්‍රමුඛ තැනක් ගනු ලබන්නේ විශේෂයෙන් එය දකුණු ආසියාවේ ගන්නා ලද ප්‍රථම පියවරක් නිසා වේ. එහි ක්‍රියාකාරී යාමාපිකයන් වන්නේ වෘත්තීය නායකයන්, රජයේ හා රජයේ නොවන ආයතනවලට සම්බන්ධ සේවක අධ්‍යාපන කටයුතුවල යෙදී සිටින ස්වේච්ඡා සේවකයන්ය.

මෙම සංගමයේ පරමාර්ථය වන්නේ උගත් කම්කරු පිරිසක් ඇති කිරීමත්, රටේ කාර්මික වැඩිදියුණුව සඳහා අවශ්‍ය දැනුම, කුසලතාවන් හා ක්‍රියාකාරී ආකල්ප ගැන දිරිගැන්වීමක් දීමත්ය.

අප බලාපොරොත්තු වන්නේ පසුගිය කාලයේ සංවිධානය නොවූ කාර්මික ශ්‍රමිකයන් පිළිබඳවත්, වර්තමානයේදී සංවිධානය නොවූ සේවකයන් වන සුළු ගොවීන් පිළිබඳවත් කරුණු ඉදිරිපත් කිරීමය.

වෘත්තීය සමිති ව්‍යාපාරයේ සියවස

වර්ෂ 100කට පෙර සිට මහත් පරිශ්‍රමයක් දක්වන ලද සේවක නායකයන් හා එවකට අවශ්‍ය පරිදි නොවිධිමත් ලෙස සංවිධානය වූ සේවක සංගම් කෙරෙහි කරුණු ඉදිරිපත් කිරීමට සේවක අධ්‍යාපනකාරකයන්ගේ සංගමය විශේෂ උත්සාහයක් දරනු ලැබේ.

එවකට සිටි සේවක නායකයන් කම තනතුරු ද කැපකර, පොලීසිය හා බන්ධනාගාරවල දඬුවම්වලට ද භාජනය වී ඔවුන්ගේ සේවක සහෝදරයන් ගේ ආරක්ෂාව සඳහා ගන්නා ලද පියවර රැසක් ඇති අතර ඉන් කිහිපයක් පහත දැක්වේ.

- 1893 දී මුද්‍රණ කම්කරුවන්ගේ වැඩ වර්ජනය — එහි නායකයකු වන ප්‍රධාන යාන්ත්‍රික ශිල්පී විලියම් හිරිදබ්‍රව්මකට ද භාජනය වීම.
- 1986 රෙදි පිරිසිදු කරන්නන්ගේ වැඩ වර්ජනය.
- 1906 කරත්තවල වාඩිවී නොයන ලෙස තිබූ නියමය බුද්ධිමත් කරත්තකරුවන් උපක්‍රමශීලීව හිටගෙන යාම.

- 1912 දී පමණ දුම්රිය දෙපාර්තමේන්තුවේ සේවය කළ යකා පෝන්, හම්බන් විලියම් හා වඩු නායක මාර්ෂල් වැනි අය විසින් වෘත්තීය සංගම් ව්‍යාපාරය ශක්තිමත් කිරීම.
- 1912 දී ලංකා සේවක අර්ථසාධක සංගමය පිහිටුවීම.
- 1880 දී ලියබෝ පින්තු හා ඒ. ඊ. බ්ලැස්න්ස් යන අය සේවක දුක්ගැනවිලි සඳහා විශේෂ උනන්දුවක් දක්වූ පුද්ගලයන් වන අතර එවකට රජයේ ඉතා භයානක තාඩන පීඩනවලට අසුවූ කම්කරුවන් වෙනුවෙන් නිර්භීතව ඉදිරිපත් වූහ.
- 1923 දී වෘත්තීය සමිති ආරම්භ කිරීමේ මූලිකයකු වශයෙන් ඒ. ඊ. ඉණසිංහ මහතා හඳුන්වා දිය හැක.

සේවකයන්ගේ ශ්‍රහසිද්ධිය සඳහා ක්‍රමවත් වෘත්තීය සමිති ව්‍යාපාරවලට සම්බන්ධවීමේ අවශ්‍යතාව මොනවට පැහැදිලි වන්නේ ය. ජාත්‍යන්තර කම්කරු සංගමය ද පිහිටුවනු ලැබුවේ විකාශයේ කම්කරු ආරාධිල් බේරුම් කරගැනීමේ අවශ්‍යතාව මතය.

වර්තමානයේ සුළු ගොවීන්

අප විශේෂයෙන් සුළු ගොවීන් පිළිබඳව සඳහන් කරනු ලබන්නේ ශ්‍රී ලංකාව ප්‍රාථමිකව කෘෂිකර්මයට නැඹුරු ගම් 30,000කින් සමන්විත රටක් බැවිනි. කෘෂිකර්මය හා කෘෂිකර්මයට ලැදි කර්මාන්ත ප්‍රධාන රැකියා වේ. මෙම ගම් ප්‍රදේශවලින් පුරාණ ගම් 7500ක ගොවිතැනින් ජීවත්වන සුළු ගොවීන් ගැන විශේෂයෙන් සඳහන් කළ යුතු ය.

සුළු ගොවීන්ගෙන් වැඩිදෙනෙකු නිත්‍යානුකූලව ඉඩම් නොමැති අය වන අතර, ඉඩම් ඇති අයගෙන් සමහරකුට ඇති ඉඩම් ප්‍රමාණය අක්කර 2කට වඩා නැත. එසේ නොමැති නම් රජයේ ඉඩම්වල අනවසරයෙන් ජීවත්වන/අදේට/හේන් ගොවිතැන් කරන අයයි. තවද, ඉතා දුෂ්කර ප්‍රදේශවල පදිංචි එනම්, ප්‍රවාහන, සෞඛ්‍ය, අධ්‍යාපන, තැපැල් හා බැංකු පහසුකම් අඩු පළාත්වල ජීවත්වන අලි, කොටි, වලසුන් වැනි වන සතුන්ගේ තර්ජනවලට මැදිහත් වී ඇති මේ සුළු ගොවීන්ගේ අනාගතය දෙය බැලීම වෘත්තීය සමිති මගින් කළයුතු දෙයකි. මෙම ගොවීන්ගේ පවුල්වල ප්‍රමාණය ද සැලකිය යුතුයි. එබැවින් දියුණුවට වඩා එදිනෙදා ජීවත්වීම ඔවුනට ප්‍රශ්නයකි.

විශේෂයෙන් දකුණු ආසියා ප්‍රදේශයේ ග්‍රාමීය සේවකයින් සඳහා විශේෂ වැඩසටහනක් ජාත්‍යන්තර කම්කරු සංවිධානය මගින් පිළියෙල කර තිබීම ගැන අපට සතුටු වියහැකි නමුත් සුළු ගොවීන් සම්බන්ධයෙන් මෙතෙක් ඵලදයීත්වයක් දක්නට නොලැබීම කණගාටුවට කරුණකි.

එහෙත් වතු සේවකයන් හා සසඳා බැලීමක් කළහොත් වතු කම්කරුවන් වැඩ වරප්‍රසාද සහිත තත්ත්වයක ජීවත් වන බව සැලකිය හැක. එය සාධාරණ බව සලකන අතර එම වතු වල කම්කරුවන් සංවර්ධනය කිරීම නිසියාකාරව සංවිධානය කර තිබෙන්නේ ලංකාවේ ප්‍රධාන ශක්තිමත් විශාල වෘත්තීය සමිති 3ක් මගින්ය. තව ද, මෙම වතු කම්කරුවන් සංවිධානය කිරීම සඳහා විදේශික සම්පත් ද ලබා දී ඇත.

එහෙත් ඉතා දුර්වල තත්ත්වයේ සිටින සුළු ගොවීන් සංවිධානය කිරීමට හෝ සහන දීමට රුකුල් නොදීම ගැන අපි කණගාටුව ප්‍රකාශ කරමු. ලංකාවේ ලියාපදිංචි වෘත්තීය සමිති 1000කින් සංගම් 100 පමණ ක්‍රමවත්ව සංවිධානය වී ක්‍රියා කරත්. එම සංගම් ද සුළු ගොවීන් කෙරෙහි වසර ඇයකින් බලා තිබේ. විශාල ගොවිපොලවල හා වෙල් යායවල සිටින සැලකිය යුතු ගොවීන් සඳහා විශ්‍රාම වැටුප් ක්‍රම හා පෝර ආදී සැපයීමේ පහසුකම් රජය මගින් සලසා දී තිබීම ගැන අප සතුටු වියහැක. එහෙත් පිටිසර පුරාණ පොඩි ගම්බද පළාත්වල ගොවීන් තවම අසරණ ය.

සුළු ගොවීන් සංවිධානය කිරීම සඳහා ගන්නා ලද උත්සාහයන්

දැනට අප සියලුදෙනාම ගන්නා ලද පියවර අඩු සේ සලකන අතර, අප ද සම්බන්ධ වූ සුළු ප්‍රතිකර්ම කීපයක් මතු සඳහන් කරන්නේ කිසියම් ඉලක්කයක් මත සුළු ගොවීන් සංවිධානය කිරීමේ අවශ්‍යතාව නිසාය.

1. අධ්‍යාපනකාරකයන්ගේ සංගමය (විල්) මගින් සුළු ගොවීන්ගේ සංවිධාන පිළිබඳව උනන්දුවක් දක්වීම සතුවට කරුණකි. ලංකාවේ පැරණි තාක්ෂණය පිළිබඳව සංගමය විසින් ගොවීන් රැස්කර විශේෂ සම්මන්ත්‍රණයක් 1993 දී පවත්වන ලදී. එහිදී පළිබෝධ නාශක භාවිතය, ප්‍රවේශම ගැන කරුණු සඳහන් කර ඇත. තවද ඒ සඳහා පැරණි තාක්ෂණය උපයෝගී කර ගැනීමත්, ජීවත්ත ක්‍රම භාවිතා කිරීමත්, කෘත්‍රීම රසායන ක්‍රම වෙනුවට පැරණි තාක්ෂණය පිළිබඳ කරුණු ඇතුළත් පොත් පිංචක් නිකුත් කරනු ලැබේ. කෘත්‍රීම පළිබෝධ නිසා ගොවි පවුල් හා පරිසරයට සිදුවී තිබෙන හානි ගැන ද හැඳින්වීමක් ඇත.
2. උතුරු මැද පළාතේ තත්කිරිමලේ ප්‍රදේශයේ පැරණි ගම් 100ක හා බ්‍රික්හල, වල්ලිඅම්මාර් වැනි පැරණි ගම් 50ක සුළු ගොවීන් සංවිධානය කර පැරණි කුඩා වැව් ප්‍රතිසංස්කරණය කිරීමට ඉලක්ක කර ගන්නා ලදී. එම වැව් සභාවල මූලිකත්වය හිමි වූයේ ගම්මුත්තට වූ බැවින් එම සමිති ක්‍රමානුකූලව පැවතුණි. පිටස්තර බලපෑම්වලට යටත් වූයේ නැති අතර අවශ්‍ය පරිදි උපදෙස් හා

ද්‍රව්‍ය සමඟ ලබා ගන්නා ලදී. ශ්‍රී ලංකා සාහිති නිවීමේ මණ්ඩලය ද 1981 දී මේ කුඩා වැව් මගින් ජලය ආරක්ෂා කර කෘෂිකාර්මික කටයුතු කිරීමට සහාය වී ඇත. නමුත් මෙහි ප්‍රධාන ලක්ෂණයක් නම් එක් එක් කුඩා ගම් සඳහා වැව් සහා ක්‍රමය මගින් සුළු ගොවි පවුල් සංවිධානය වීමයි. තවද, පැරණි පෙරදිග දර්ශනයක් අපට බැලපෙන පරිදි සකස් කරගෙන ක්‍රියා කිරීමෙන් පෙන්නුම් කරන්නේ පිරිවට තාක්ෂණයට හා ගොවිතැන් ක්‍රමවලට වහල් නොවී 'අපේ හොඳ' ක්‍රම ඇත්නම් ඒවා භාවිත කිරීමය. පෝර දැමීම, පළිබෝධ පාලිතය ගැන අප ගම්බද පැරණි ක්‍රම අපට පහසු බව සැලකිය යුතුය.

3. කොළඹ විශ්ව විද්‍යාලයේ සේවක අධ්‍යාපන ආයතනය විසින් පුරාණ ගම්වල සුළු ගොවීන් සඳහා විශේෂ සේවක අධ්‍යාපන පන්ති එම ගම්වල හා විශ්ව විද්‍යාලයෙහි පවත්වා ගොවිතැන, තාක්ෂණය හා රසායන විද්‍යාව ගැන අදාළ කරුණු පැහැදිලි කර දෙන ලදී. විශේෂයෙන් ජලය හිඟ අවස්ථාවලදී හා ලෙඩ/රෝගී අවස්ථාවලදී ගතහැකි ගම්බදව සුදුසු ප්‍රතිකර්ම සාකච්ඡා කරන ලදී.

අප කළයුතු/කළහැකි දේ

වසර 100 කට වඩා පැරණි වෘත්තීය සමිති ඉතිහාසයක් ඇති ශ්‍රී ලංකාව මෙම සුළු ගොවීන් සඳහා වෘත්තීය සමිති ව්‍යාපාරයක් ආරම්භ කිරීමට අවශ්‍ය වේ. ඒ සඳහා රජයේ විශේෂ අනුග්‍රහය ලබා ගැනීම සුදුසුයි. කෘෂිකාර්මික කටයුතුවලට සම්බන්ධ රජයේ හා රජයේ නොවන ආයතන ඉදිරිපත් වී කටයුතු කරනු ඇතැයි අප අපේක්ෂා කරමු. 'විල්' වැනි අපක්ෂපාත සේවයට කැපවී සිටින සේවක අධ්‍යාපන ස්වේච්ඡා සංගමයට විශේෂයෙන් ඉදිරිපත් වියහැකි වන්නේ ප්‍රධාන වෘත්තීය සමිතිවල සම්බන්ධවීමක් සමඟය. තවද, කම්කරු අමාත්‍යාංශය සංවිධානය වී ඇති වෘත්තීය සමිති එකතුව සේවකයන්ගේ අවමය වැටුප්, නිවාඩු, සේවා කොන්දේසි ආදිය ගැන ඉතා මැනවින් ක්‍රියා කර තිබෙන බව අපි දනිමු. එහෙත් අතීත කටයුත්තැර සංවිධානය වී නැති සුළු ගොවීන් වැනි ලංකාවේ සිටින විශාල සේවක පිරිසක් පිළිබඳව සැහෙන ක්‍රියා මාර්ගයක් ගෙන නැත. එබැවින් සුළු ගොවීන්ගේ ගුණසිද්ධිය සඳහා කම්කරු අමාත්‍යාංශයේ සේවක අධ්‍යාපන අංශයෙන් විශේෂ වැඩපිළිවෙලක් යොදන ලෙස අපි තදින් නිර්දේශ කරමු. වැව් සහා වැනි අරමුණු ඉලක්ක කරගෙන අපක්ෂපාතීව සුළු ගොවීන් සංවිධානය කිරීමට දිරි ගැන්වීම අපේ යෝජනාවයි.

மலைநாட்டவர்களும் அவர்கள் வரலாற்றின்
ஒரு சிறு துளியும்

வி. எஸ். ராஜா

பொதுச் செயலாளர்
இலங்கை கிராமிய தோட்டத்
தொழிலாளர் காங்கிரஸ்.

“பாட்டி பசிக்கிறதே”

“கொஞ்சம் பொறுடா கண்ணு”

“ஐயோ பசி தாங்கலேயே”

“அம்மா வரட்டுண்டா சாமி”

“நேத்தும் அம்மா வரட்டும் என்றியே, ஒண்ணுமே
கிடைக்கலேயே பாட்டி. பசி தாங்கமுடியலேயே”

“இன்னிக்கு கட்டாயம் அம்மா சோறு கொண்டாருவாடா”

“மலைக் காட்டிலே எங்கே பாட்டி சோறு கிடக்குது”

“நம்ம பெரிய கங்காணி ஐயா லூட்டிலே வாங்கிட்டு வருவாட
என் துரையே”

“ஐயோ குளிர் தாங்க முடியலையே, கம்பினிய கொஞ்சம்
எடுத்து போத்தே பாட்டி”

“நம்ம லூட்டிலே ஒள்ளதே ஒரு கம்பினிதானே ராசா

ஒங்கம்மா மலைக் காட்டுக்கு கொண்டு பெயிட்டாடா”

“ஐயோ தாகம் நாக்கை வரட்டுது பாட்டி. கொஞ்சம் தண்ணி
யாவது கொடேன் பாட்டி”

“ஐயேயோ, ஒனக்கு அடிக்கும் இந்த பாலா போன மலேரியா
காச்சலுக்கு தண்ணி குடிக்கக் கூடாது கண்ணு”

“ஐயோ பசி தாங்க முடியலேயே நான் செத்துப் போவேன் பாட்டி,

“வாடி முத்தம்மா —பெரிய கங்காணியாரு லூட்டுலே அரிசி
—குருணலாவது கெடச்சிதா ?”

“மவன் எங்கே ஆத்தா ?”

“அதோ பசி பசின்னு பதறி அழுதுவிட்டு படுத்துத் தூங்கிட்டான்”

“எங்கே புள்ளே அரிசி”

“எப்படி அம்மா அரிசி கொடுப்பாங்க; போன மாசம் வாங்கின கடன் இருக்கும்போது, இன்னும் கம்பளி வாங்கின கடனே முடிய வியே”

“அப்போ இன்னிக்குப் பொழுதை எப்படி தீர்ப்பது ”

“இன்னும் மவனுக்கு காய்ச்சலா ஆத்தா ?”

“ஆமா! காய்ச்சலுக்கு என்ன கொறைச்சல் நெருப்பாய்க்காயிது. எங்கே உன்புருஷன் வீரையா ?”

“அவரு கண்டக்கையா வீட்டு மாட்டுகளுக்கு புல்லு வெட்டு கிறாரு”

“கண்டக்கையா ஆட்டிலே ஏதும் பழசு கிடைக்குமா ?”

“எங்கே புள்ளே மவன்”

“அதோ காச்சலோடும், பசியோடும் படுத்துத் துங்கிட்டான்- கண்டக்கையே வீட்டிலே.....ஏதும் பழையது கிடைச்சதா?”

“இல்லே புள்ளே, மீதியை வேட்டை நாய்க்குப் போட்டுட் டாங்கலாம், அந்த அம்மா. அந்த நாய் செய்த புண்ணியம் கூட நாம் செய்யலியே இன்னிக்குப் பொழுதை எப்படி போக்குவது?”

“தோட்ட வேலியிலே கிடக்கும் கீரையைப் பிடுங்கிச் சுண்டிச் சாப்பிட்டு படுத்துக் கொள்வோம்”

“எல்லாம் நம்ம தலைவிதி என்ன செய்வது?”

மேலே கூறப்பட்டுள்ளதுதான் அன்றையத் தோட்டத் தொழிலாளர் களின் குடும்பங்களிலே பெரும்பாலும் தினசரி நடைபெற்ற உண்மை நிகழ்ச்சி என்றால் மிகையாகாது.

தென்னிந்திய மக்களின் வருகை

1850 ம் வருட ஆரம்பம் தொடக்கமே, தென்னிந்தியாவிலிருந்து, மக்கள் இலங்கை வர ஆரம்பித்துள்ளனர். அன்றைய பிரிட்டிஷ்காரரின் கோப்பித் தோட்டங்களில் குறைந்த கூலிக்கு வேலை செய்வதற்காக திரட்டப்பட்டவர்களே இவர்கள். இவர்களின் வருகைக்கு முன்பு, இந்த நாடு கொடிய மிருகங்கள் வாழும் கோட்டையாக, அடர்ந்த பெரிய காடாக இருந்தது. இவர்களின் கடும் உழைப்பே இன்று இலங்கையை ஒரு பொன் கொழிக்கும் பூமியாக மாற்றியுள்ளது என்பதுதான் உண்மையாகும்.

தரிசு நில சட்டத்தினை தமக்கு சாதகமாக்கிக் கொண்டு, இந்த நாட்டு சிங்கள மக்களின், பெரும்பாலும், ஏழை பெருங்குடி மக்களின் காணிகளை தம் வசமாக்கிக் கொண்டதன் காரணமாகவும் தமது சொந்த காணிகளிலேயே குறைந்த கூலிக்கு வேலை செய்ய சிங்கள மக்கள் மறுத்ததாலும் குறைந்த கூலிக்கு கோப்பித் தோட்டங்களில் வேலை செய்வதற்கென ஆஸ்திரேலியப் பணியில் முனைந்தான் வெள்ளையன். முதலிலே சீன தேசத்திலிருந்து கலிப்படையைத் திரட்ட எண்ணிய வெள்ளையர், பின்பு அன்டைய நாடான இந்தியாவிலிருந்து, அதாவது தென்னிந்தியாவிலிருந்து ஆஸ்திரேலியப் பணியில் ஈடுபட்டனர்.

1870 ம் ஆண்டில் சுமார் ஒரு லட்சத்து எண்பதாயிரம் ஏக்கர் நிலங்களில் கோப்பி பயிர்ச்செய்கை செய்யப்பட்டது. இப்படியான வளமான மாற்றத்திற்குக் காரணம் இந்திய மக்களே.

1890 ம் வருடத்தோடு கோப்பிச் செடிகள் ஒருவித நோயால் பீடிக்கப்பட்டு அழிந்து போயின.

தேயிலைச் செடி பயிர் செய்கை

இப்படி கோப்பிச் செடிகள் அழியத் தொடங்கியதன் காரணமாக அதே நிலங்களில் தேயிலைத் தோட்டங்கள் உண்டாக்கப்பட்டன. 1890 ம் ஆண்டளவில்தான் முதன்முதலாக தேயிலை உற்பத்தி செய்யப்பட்டதாகக் கூறப்படுகின்றது. எனினும், இதற்கு பின்பு தான் ஆயிரத்திற்கு மேலான ஏக்கர் நிலங்களில் தேயிலை உற்பத்தி செய்யப்பட்டது.

இதன் காரணமாக 1913 ம் வருடத்திற்கிடையில் நான்கு லட்சம் தொழிலாளர்கள் இந்த நாட்டிலே குடியேறி விட்டனர்.

வெள்ளை ஆதிக்கம்

முன்பு மலையகத்தில் உயிர் வாழ்வதென்பது மிகக்கடினம். தொடர்ந்து பெய்யும் பேய் மழையும், மழையைத் தொடர்ந்து வீசும் பயங்கர புயற்காற்றும் சூரிய ஒளியை மறைத்தே வைத்திருந்தன.

இப்படியான இயற்கை இன்னல்களுக்குத் தாக்குப்பிடித்து அயராது உழைத்த இம்மக்கள் காட்டினை அழிக்க ரத்தக் கண்ணீர் வடித்தனர். நிலத்தைச் சீர் படுத்த செந்நீரும் சிந்தினர். நிலத்தில் பயிர்செய்ய தங்கள் உடலையும் உவகையோடு உரமாக்கினர்.

இவ்வாறு இயந்திரத்தோடு இயந்திரமாய் பதினெட்டு மணித்தியால வங்களுக்கு மேலாக உழைத்த இவர்களுக்கு வழங்கப்பட்ட ஊதியம் கேவலம் பிச்சைக் காக போன்று தினசரி கூலி 12 சதமே. இப்பிச்சைக்காக இவர்களின் உயிர் உடலில் ஒட்டிக் கொண்டிருக்கவே போதாது. வசிக்க போதிய வீடு வசதிகள், பசியை போக்கிக் கொள்ளும் அளவிலான உணவு, உடம்பை முழுமையாக மறைத்துக் கொள்ள உடை மேலும் மருத்துவ, கல்வி வசதிகள் தொடக்கம் மக்களின் உயிர் வாழ்வுக்கான சகல வசதிகளுமே பஞ்சமாய்கவே இருந்தன.

பெண்களின் நிலை

ஒரு பெண் தொழிலாளி தான் பெற்றெடுத்த குழந்தையை வீட்டில் விட்டு விட்டு வேலைக்குப் போய்விட வேண்டும். குழந்தை இங்கே வீட்டிலே பசியா துடிதுடித்து அழும்பொழுது, அங்கே மலையிலே வேலை செய்யும் அந்த தாயின் மார்பகத்தில் வழிந்தோடும் பால் குழந்தைக்குக் கிடைப்பதற்குப் பதிலாக அந்த தேயிலை மலையிலே உள்ள தேயிலை இலைகளிலே இரண்டாகக் கலந்துவிடும். பத்து மாதங்கள் சுமந்து பெற்றெடுத்த தன் குழந்தைக்குப் பால் புகட்டும் உரிமையைக் கூட பெறவில்லை அந்தத்தாய்மார்கள்.

மேலும், தேயிலை மலைகளில் உள்ள 'சவுக்கு' மரக் கிளைகளில் தொட்டில் கட்டிப்போட்டு தாய்மார்கள் வேலை செய்யும் பழக்கம் இருந்தது. அப்படி இருந்தும், அழும் குழந்தைகளுக்கு மலையில் பால் புகட்டும் பொழுது, வெள்ளைக் காரத்துரையோ, பெரிய கங்காணியோ அல்லது கண்டக்கையோவோ கண்டுவிட்டால், அந்த தாயின் ஜீவநாடிகள் அனைத்தும் நின்றுவிடும் பயங்கரநிலை நிலவியது மலை நாட்டிலே.

பொதுவாக மலையக மக்களின் வேதனை மூச்சு பெருமூச்சாகி, பெருமூச்சு இரைச்சலாகி, இரைச்சல் முழக்கமாகி, முழக்கம் இடிமுழக்கமாகிக் கொண்டிருந்ததை எவரும் உணரவில்லை.

தங்களுக்கு விமோசனமே இல்லையா என இவர்கள் ஏங்கி பெருமூச்சு விட்டுக் கொண்டிருந்த பொழுதுதான், தோட்ட மக்களின் சூயரைத்துடைக்க பலர் முன்வந்தனர்.

திரு. நடேசய்யரின் சேவை

தோட்டத் தொழிலாளர்களின் பொருட்டு திரு. நடேசய்யர் ஆற்றிய சேவை மகத்தானது. தனிப்பட்ட நிலையில் மலைய கமக்களின் பொருட்டு, தோட்டப்புறங்களிலும், இந்த நாட்டின் அன்றைய சட்டசபையிலும் அவர் ஆற்றிய பணி வரலாற்றில் இடம்பெற்றுள்ளது.

அகில இலங்கை ஐக்கியத் தோட்டத் தொழிலாளர்

யூனியன் உதயம்

1938 ம் வருட காலகட்டத்திலே அகில இலங்கை ஐக்கியத் தோட்டத் தொழிலாளர் யூனியன், தொழிற்சங்க ரீதியாக இயங்க ஆரம்பித்தது. லங்கா சமசமாஜக் கட்சியின் தலைமையின் கீழ் இயங்கிய இந்த தொழிற்சங்கம் தோட்டத் தொழிலாளர்களின் உரிமைகளுக்கென போராட்டப் பாதையை தேர்ந்தெடுத்தது.

முல்லோய தோட்டப் போராட்டம்

இதன் வெடிப்புதான் 1939 ம் வருட இறுதியில் ஆரம்பமான முல்லோயா தோட்டப் போராட்டம். போராட்ட சமயத்திலே முல்லோயா தோட்டத்தொழிலாளி ஒருவன் பொலிஸ் சார்ஜன்ட் சுரலீ ராவின் துப்பாக்கி குண்டுக்கு இரையானான். கோவிந்தனின் உயிர்மேல் எழுதப்பட்ட உயிர்தான் 10.05.1940 ல் கைக்காத்திடப்பட்ட ஏழு அம்சத்திட்டங்கள். ஒரு நாள் சம்பளம் 16 சதமாக உயர்த்தப்பட்டதும் இப்போராட்டத்தின் காரணமாகத்தான். எனினும், பொலிசரின் மிருக வேட்டையை எதிர்த்து, வேவஸ்ஷ், வேவல்ஷிறின்ன, தெமோதரை, உடுவரை, ரம்போடை, ஸ்டெலன்பேர்க், அட்டாம் பிட்டிய, கடியஞ்சேவை, கந்தலாய் போன்ற தோட்டங்களில் தொழிலாளர்கள் களம் புகுந்தனர்.

ஒரு பாட்டாளியின் உயிருக்காக, ஒரு தோட்டத்துரையின் உயிரையே பழிக்குப்பழிவாங்க தோட்டத் தொழிலாளர்கள் துடித்தார்கள். இதன்காரணமாக, போப்துரை கொலை செய்யப்பட்டான். இதனால் புஸ்ஷலாவைப் பகுதியைச் சார்ந்த கந்தலாய்த் தோட்டத் தொழிலாளர்களான வேலாயுதன், ஐயம் பெருமாள், வீராசாமி கைதானார்கள். இவர்கள் 27.02.1942 லும் 28.02.1942 லும் தூக்கிலிடப்பட்டனர்.

இலங்கை தொழிலாளர் காங்கிரஸ்

இரண்டாவது உலகயுத்தத்தை எதிர்த்தமையினாலும், தோட்டப் பகுதிகளில் புரட்சித் தீயைப் பரப்பியதனாலும் 1940 ம் ஆண்டு ஜன்மாதம் லங்கா சமசமாஜக்கட்சி சட்ட விரோதமாக்கப்பட்டு, பெரிய தலைவர்கள் கைதாக்கப்பட்டனர். சிலர் தலைமறைவாகியதன் காரணமாக அகில இலங்கை ஐக்கிய தோட்டத் தொழிலாளர் யூனியனும் இயங்கவில்லை. அதுவும் சட்டவிரோதமாக்கப்பட்டது. எனினும், இந்த இயக்கங்களினால் மலையகத்தில் ஆரம்பிக்கப்பட்ட போராட்டம் காட்டுத் தீயைப் போல பரவியது. தோட்ட மக்களின் இந்த போராட்ட சபாவமே இந்த நாட்டிலே இலங்கை தொழிலாளர் காங்கிரஸ் உதயமாக வழி சமைத்தது என்றால் பொய்யாகாது.

அன்றைய தோட்டத் தொழிலாளர்களின், சமூக-பொருளாதார-கல்வி, கலாச்சார நிலைபாட்டினை ஒப்பிட்டுப் பார்க்கும் பொழுது இன்றைய தோட்டத் தொழிலாளர்கள் சில வரப்பிரசாதங்களை அனுபவிக்கின்றார்கள் என்பது உண்மை. இன்று தோட்டத் தொழிலாளர்கள் சில உரிமைகளையும், வரப்பிரசாதங்களையும் பெற்று வாழ்வதற்கு தொழிற்சங்கங்களே காரணிகளாக விளங்குகின்றன. இதில் பழைமை வாய்ந்த தொழிற்சங்கம், பெரிய தொழிற்சங்கம், புதிய தொழிற்சங்கம் சிறிய தொழிற்சங்கம் என சேவைகளை தரம் பிரிக்க முடியாது.

ஆனால் சில தொழிற்சங்கங்களின் அரசியலும் இவர்களின் முன்னேற்றத்திற்கு தடையாக இருந்துள்ளது. இருப்பினும், தொழிற்சங்கங்களும், தொழிலாளர்களும், அரசியல், தொழிற்சங்க விரிசல்களை பொருட்படுத்தாமல் பேதங்களை மறந்து செயல்பட்டிருந்தால், தோட்டத் தொழிலாளர்கள் இன்றைய நிலையைவிட ஒரு ஸ்திரமான நிலையில் "மனிதர்" களாக வாழ்ந்து "நிம்மதி மூச்சு" விட முடியும் என்பதே எல்லோரினதும் கருத்தாகும்.

மலையகத் தோட்டத் தொழிலாளர்களின் வரலாறு இந்த நாட்டின் வரலாற்றைப் போன்ற பெரிய வரலாறாகும். எனவே எம்மக்களின் கடலைப் போன்ற சரித்திரத்தின் ஒரு சிறுதுளியே இந்த சிறு கட்டுரையாகும்.

**இலங்கை தொழிற்சங்க வரலாற்றில் சில முக்கிய
மைல் கற்களுள் சமூக முன்னேற்றமும்**

எஸ். வி. சண்முகராஜா

பொதுச் செயலாளர்

அகில இலங்கை தோட்ட தொழிலாளர் காங்கிரஸ்

இலங்கையின் தொழிற்சங்க வரலாறு 100 ஆண்டுகள் பழமை வாய்ந்தது என்று கூறுவது மிகையாகாது. இலங்கையில் முதற் தொழிற்சங்கம் 1893 ம் ஆண்டு திரு. ஜே. எஸ். சி. பெரேரா என்பவரால் ஆரம்பிக்கப்பட்டதே இலங்கையின் தொழிற்சங்க வரலாற்றில் முதல் மைல் கல்லாகும்.

அந்நிய ஆட்சியாளராகிய போர்த்துக்கேயர், ஒல்லாந்தர், ஆங்கிலேயர் ஆகியோரின் படிப்படியான வருகையினால் இலங்கையில் அதுவரை நிலவிவந்த மானியமுறை சமுதாய அமைப்பு படிப்படியாக, அருகத் தொடங்கியது. பிரபுக்கள் அல்லது நிலச்சுவாந்தர்கள் பண்ணையாட்கள் என்ற நிலமை மாறி முதலாளி தொழிலாளி என்ற வர்க்க அமைப்புக்கள் தோன்றி பார்த்துக்கேயர், ஒல்லாந்தர் ஆகியோர் பணப்பயிர்களை விளைவித்து வர்த்தகத்தில் ஈடுபட்டிருந்தாலும் ஆங்கிலேயரின் வருகையின் பின்தான் இந்தப் பணப்பயிர் வர்த்தகம் இலங்கையின் பொருளாதாரத்திலும் அரசியலிலும் சமுதாய அமைப்பிலும் பாரிய மாறுதல்களையும் தாக்கங்களையும் ஏற்படுத்தியது.

பணத்திற்காக ஆங்கிலேயர் பெருந்தோட்டத்தை ஒருமையமாக ஏற்படுத்தி கோப்பிப் பயிர்ச்செய்கையை ஆரம்பித்தனர். இலங்கையில் அப்போது வாழ்ந்த சிங்களவர்களோ அல்லது வடக்கு கிழக்கு தமிழர்களோ கோப்பித் தோட்டங்களில் வேலை செய்ய மறுத்தனர். அவர்கள் தங்களின் சொந்தகுகிராமங்களில் பயிர்ச் செய்கையில் ஈடுபடவே விரும்பினர். எனவே, வெள்ளையர்கள் இலங்கைக் மிக அண்மையிலுள்ள தென் இந்தியாவிலிருந்து ஏஜெண்டுகள் மூலம் தமிழர்களுக்கு ஆசை வார்த்தைகள் கூறி அவர்களை இலங்கைக்கு கொண்டு வந்தனர். கோப்பிப்பயிர் நோயின் காரணமாக பாதிக்கப்பட்டதால் தேயிலை பயிர்ச்செய்கையை வெள்ளையர்கள் இலங்கையில் ஆரம்பித்தனர். தேயிலையை வெளிநாட்டுக்கு ஏற்றுமதி செய்ய வேண்டிய காரணத்தால் வீதிகள், துறைமுகங்கள் தொழிற்சாலைகள் ஆகியவற்றிலும் இந்தியத் தமிழர்கள் வேலைக்கமர்த்தப்பட்டனர். இவ்வாறு வேலை செய்தவர்கள் சொல்லொண்ணாத துன்பத்திற்கு ஆளானார்கள். இவர்களுக்கு வேலை நேரம், சம்பளம்

ஓய்வு, இருப்பிடவசதி, கல்விக்கான வசதி எதுவுமே கிடைக்கவில்லை. மாறாக அடிமைகளாக கடுமையாக கடும்வேலை வாங்கப்பட்டனர். மக்களின் துயரைத் துடைக்க சில படித்தவர்கள் முன் வந்தனர். 1896 ம் ஆண்டில் சலவை தொழிலாளர் சங்கம் ஆரம்பித்து வேலை நிறுத்தம் செய்யப்பட்டுள்ளது. 1906 ம் ஆண்டு வண்டி போக்கு வரத்து சங்கம் ஆரம்பிக்கப்பட்டுள்ளது. 1912 ம் ஆண்டு புகையிரத சங்கம் ஆரம்பிக்கப்பட்டு வேலை நிறுத்தம் செய்யப்பட்டுள்ளது. 1919 ம் ஆண்டு இலங்கை தொழிலாளர் நலன்புரிச்சங்கம் ஆரம்பிக்கப் பட்டது.

1920 ம் ஆண்டில்தான் கோ. நடேசஜயர், கே. ஜி. எஸ். நாயர் ஏ. ஈ. குணசிங்க ஆகியோரால் பெருந்தோட்டத்துறையில் தொழிற் சங்கம் ஆரம்பிக்கப்பட்டது, இவர்கள் 1921 ம் ஆண்டு முதல் தொழிற்சங்கம் கூட்டம் நடத்தினர். 1929 ம் ஆண்டு தொழிற் சங்கம் சட்டபூர்வமாக அங்கீகரிக்கப்பட வேண்டுமென கோரிக்கை விட்டனர். 1935 ஆண்டு 14 வது இலக்க தொழிற் சங்க கட்டளைச் சட்டத்தின் மூலம் தொழிற்சங்கம் சட்டபூர்வமாக அங்கீகரிக்கப்பட்டு பதிவு செய்யப்பட்டது. இக்கால கட்டத்தில் துரதிர்ழ்வுவசமாக திரு. ஏ. ஈ. குணசிங்கவின் முன்னேற்றப்பாதையில் இனவாத உணர்வு கலந்ததால் திரு. நடேசஜயர், திரு. ஏ. ஈ. குணசிங்க இவர்களுக்கிடையில் பிளவு ஏற்பட்டது. எதுவான போதிலும் திரு. ஏ. ஈ. குணசிங்கவின் முயற்சியால் துறைமுக போக்குவரத்து தொழிலாளர்கள் நன்மையடைந்தனர். இக்கால கட்டத்தில் இடதுசாரி தலைவர்களான கலாநிதி. என். எம். பெரேரா, கலாநிதி கொல்லின் ஆர்டி. சில்வா, லெஸ்லி குணவர்த்தன, கலாநிதி லிக்கிரமசிங்க ஆகியோரும் தொழிற் சங்கம் அமைத்து போராட்டம் செய்யத் தொடங்கினர். பல போராட்டங்கள் வெற்றி பெற்றன. இக்கால கட்டத்தில் தொழில் வழங்குவேரார் (முதலாளிமார்) சங்கமும் 1935 ம் ஆண்டில் ஆரம்பிக்கப்பட்டதை மறக்க முடியாது.

1940 ம் ஆண்டு முல்லோயா தோட்ட போராட்டத்தில் கோவிந்தன் என்ற தொழிலாளி பொலிஸ் சார்ஜன் சுரவீர என்பவரால் சுட்டுக் கொல்லப்பட்டார். எனினும், தொழிலாளர்களின் போராட்டம் வெற்றி பெற்றது. தோட்டத் தொழிலாளர்களுக்கு 16 சதம் சம்பள உயர்வு வழங்கப்பட்டது. இலங்கை சமஜமாஜ கட்சியினர் தொழிற் சங்க வரலாற்றில் மிகமுக்கிய இடத்தைப் பெற்றனர். அதே போன்று இலங்கை இந்திய காங்கிரஸ் தொழிலாளர் சங்கமும் முக்கிய இடத்தை தொழிற்சங்க வரலாற்றில் பெறுகின்றது. இன்று இலங்கையில் 1200 க்கு மேற்பட்ட தொழிற்சங்கங்கள் இருக்கின்றன. அநேகமாக ஒரு தொழிலுக்கு ஒன்றுக்கு மேற்பட்ட சங்கங்கள்

இருக்கின்றன. இவை எல்லாவற்றிற்கும் உந்துசக்தி யாக, முன்னோடியாக அமைந்தவை மேலே கூறப்பட்ட ஒரு சில சங்கங்களாகும். இச்சங்கங்களின் போராட்டத்தின் மூலமாகத்தான் தொழிற்சங்க வர்க்கம் இன்று இலங்கையில் முக்கிய இடத்தை பெற்றுள்ளது.

1945 ம் ஆண்டு காணிச்சலீகரிப்பை எதிர்த்து உருள வள்ளிப் போராட்டம் நடைபெற்றது. இப்போராட்டத்தின் வழக்கு லண்டன் பிரிவிக் கவுன்சிலில் நடைபெற்றது. இவ்வழக்கின் மூலம் தோட்டத் தொழிலாளர்கள் மீது கிரிமினல் டிரஸ்பாஸ் அதாவது அத்துமீறலுக்கான குற்றவழக்குத் தாக்கல் செய்யமுடியாது என்றும் குடியியல் வழக்கே தாக்கல் செய்யலாம் என்றும் தீர்ப்பளிக்கப்பட்டது.

தோட்டத்து முதலாளிமார் தொழிலாளர்கள் மீது அடக்குமுறையை ஆட்சேபித்து டெவன் தோட்டத்தில் 1950 ஆண்டு நடைபெற்ற போராட்டம், தோட்டங்களில் தொழிற்சங்கங்களை ஸ்தாபிக்க இருந்த தடையை எதிர்த்து 1953ம் ஆண்டு மீரியாகோட்டை போராட்டம், விரும்பிய தொழிற்சங்கத்தில் சேரும் உரிமையை நிலைநாட்ட நல்லத்தண்ணி, டியகம் போன்ற இடங்களில் நடந்த போராட்டங்கள் தொழிற்சங்க வரலாற்றில் முக்கிய இடத்தை பெற்றுள்ளன.

1957 ம் ஆண்டு கெலாபொக்கை போராட்டம், மொண்டிகிரிஸ்வே போராட்டத்தில் உயிர்நீத்த ஆராயின் மரணம், எட்டியாந்தோட்டையில் மூன்று மாதமாக நடைபெற்ற லையல் போராட்டம், 1967 ம் ஆண்டு நடைபெற்ற 17.50 பஞ்சபடி போராட்டத்தின் பின்பு கிடைத்த 10 சத சம்பள உயர்வு, இப்படியாக 1977 ம் ஆண்டு டெவன் தோட்டத்தில் இறந்த சிவனுலெட்சுடின வரை தோட்டத் தொழிலாளர்கள் வரலாற்றில் மிகமுக்கிய இடத்தை தொழிற்சங்கங்கள் பெற்று உள்ளன. இவையனைத்தும் தொழிலாளர்கள் தங்களின் உரிமைகளை நிலைநாட்டவும், அடக்கு முறைக்கு எதிராகவும் நடைபெற்ற போராட்டமாகும். தொழிலாளர்கள் இன்று பெற்றிருக்கும் உரிமைகள் யாவும் இலவசமாக அவர்களுக்கு, வழங்கப்பட்டவையல்ல. அதற்காக அவர்கள் கொடுத்த விலைகள் அதிகம்.

அகில இலங்கை ரீதியில் 1980 ம் ஆண்டு அரசு ஊழியர்கள் நடாத்திய, ஜூலை மாதச் சம்பள உயர்வு போராட்டத்தில் நாற்பது ஆயிரம் பேர்தொழில இழந்து நடுத்தெருவுக்கு விரட்டப்பட்டனர். பலந்தற்கொடை சய்தும் அவர்களின் பிரசிசனைகள் இன்றுவரையும் தீர்க்கப்படாமல் இருக்கின்றன.

1984 ம் ஆண்டு தோட்டத் தொழிலாளர்களுக்கான சம்பள உயர்வு பொராட்டம் ஒரு முக்கிய நிகழ்வாகும். ஆண், பெண் இருவருக்கும் சம சம்பளமும், சம்பள உயர்வும் பெற நடாத்திய போராட்டம் வெற்றி பெற்றது.

இவ்வாறாக தொழிற்சங்க வரலாற்றில் முக்கிய நிகழ்வாக இருக்கும் யாவும் பெரும்பாலும் தோட்டத்துறையை சார்ந்ததாகவே இருப்பது கவனிக்கத்தக்கதாகும். தோட்டங்களை அரசாங்கம் பொறுப்பேற்ற பின்பு 1990 ம் ஆண்டு அப்போதைய தோட்டதாழில் அமைச்சரும், இலங்கை தேசிய தோட்டத் தொழிலாளர் சங்கத்தின் தலைவருமாகிய திரு ரஞ்சன் விஜேரத்ன அவர்களால் தோட்டங்கள் கொத்தணி முறையின் கீழ் கொண்டு வந்தபின் தோட்டத் தொழில்துறையின் இயங்கும் தொழிற்சங்கங்களுக்கு மட்டும் 25% அங்கத்தவர்கள் இருந்தால் மட்டுமே அத்தொழில் சங்கத்திற்கு செக்ரோலில் சந்தாபிடிக்கலாம் என சுற்றறிக்கையின் மூலம் கொண்டு வந்த திட்டத்தை எதிர்த்து தொழிற்சங்கங்கள் வழக்குத்தாக்கல் செய்து வெற்றி பெற்றமை மிகவும் முக்கிய நிகழ்வாகும்.

1993 ம் ஆண்டு அப்புத்தளை நீட்ஜூட் தோட்ட வேலை நிறுத்தம் இலங்கை வரலாற்றில் மிக முக்கிய நிகழ்வாகும். அத்தோட்டத் தொழிலாளர்கள் 226 நாட்கள் தொடர்ந்து சம்பள உயர்வுக்காக வேலை நிறுத்தம் செய்தனர். இறுதியில் நடுவர் தீர்ப்பின் மூலம் சம்பள உயர்வு பெற்று வெற்றி பெற்றனர். இந்த வேலை நிறுத்தம் இலங்கையில் ஆகக் கூலிதலான நாட்கள் நடைபெற்ற வேலை நிறுத்தமாகும்.

தொழிற்சங்க இயக்கத்தின் மூலம் சமூக நீதிக்கும் சமூக முன்னேற்றத்திற்கும் ஏற்பட்ட பங்கு என்னவென்பதை பார்ப்போம். ஆரம்பத்தில் இலங்கை தொழிலாளர்கள் குடிமக்களாகவே கருதப்படவில்லை. அடிமைகளைப் போலவே கருதப்பட்டனர். முதலாளிமார் விரும்பும் வரையும் வேலை செய்ய வேண்டும், போதிய சம்பளம் இல்லை, விரும்பிய வேலையை தெரிவு செய்ய முடியாது, விரும்பிய போது வேலையை விட்டு விலக முடியாது, தொழில் ரீதியாக அடையும் இழப்புக்களுக்கு நிவாரணம் காண முடியாது. இவற்றையெல்லாம், தொழிற்சங்கங்கள் போராட்டங்கள் மூலமும், பேச்சு வார்த்தைகள் மூலமும் தான் பெற்றன. தொழில் பிணக்குச்சட்டங்கள், தொழில் நீதிமன்றங்கள், ஊழியர் சேமலாபநிதி போன்றவை தொழிற்சங்க போராட்டத்தின் பெறுபேறுகளே.

ஐம்பது வருடங்களுக்கு முன்பிருந்த தொழிலாளர் நிலைமையையும் இன்றைய தொழிலாளர் நிலைமையையும் ஒப்பிட்டு நோக்கினால் தொழிலாளர் வர்க்கம் அடைந்திருக்கும் முன்னேற்றம் புலப்படும். அன்று அடிமையிலும் அடிமையாகவும் வாழ்ந்த தொழிலாளர் வர்க்கம் இன்று ஆட்சியில் பங்குபெறும் அளவிற்கு வந்துவிட்டது.

முற்றும் முழுதாக இல்லாவிட்டாலும் அவர்களின் வாழ்க்கைத்தர உயர்வுக்கு தொழிற்சங்க பணி மிகவும் இன்றியமையாததாக இருக்கின்றது. ஐந்து வருடத்திற்கு ஒருமுறை வரும் அரசியல்வாதிகளை விட அன்றாடம் தொழிலாளர்களோடு பழகும் தொழிற்சங்கத் தினர் மூலம் தொழிலாளர்களின் வாழ்க்கையில் முன்னேற்றம் ஏற்பட்டிருக்கின்றது என்பதை ஒத்துக்கொள்ளத்தான் வேண்டும். முன்பு தொழிலாளர் என்று சொல்லவே வெட்கப்பட்ட மக்கள் இன்று தொழிலாளர் என்று பெருமையுடன் கூறிக் கொள்கின்றனர். சம்பள உயர்வு, இதர தொழில் முயற்சிகள் மூலம்தமது வருமானம் ஓரளவுக் காயினும் உயர்ந்துள்ளதைக் காண முடிகின்றது. கல்விசுகாதாரம் போன்றவற்றில் தொழிற்சங்கத்துறை நியாயமான அளவிற்கு ஈடுபட்டதன் காரணமாக தொழிலாளர்கள் தங்கள் வர்க்கத்தின்மத்தியில் கல்வித்தரம் வளர்ந்து வருவதையும், சுகாதார நிலைமைகள் அபிவிருத்திய அடைந்து வருவதையும் காணக் கூடியதாக இருக்கிறது.

முடிவாக சொல்வதானால் இலங்கையில் தொழிற்சங்க வரலாறு தொழிலாளரின் மேம்பாட்டுக்காக தொழிற்சங்கங்கள் அயராது உழைத்திருக்கின்றன. அவைகள் சமூகத்தில் தமக்குள்ள உரிமையை பெறவும், அவற்றை பெறுவதற்கான வழிமுறைகளை இலகுவில் பெறவும் தொழிற்சங்கங்கள் போராடி வெற்றி பெற்றுள்ளன. தொழிலாளர் வர்க்கம் இன்று ஓரளவு, ஏன் பெரிதும் மதிக்கப்படும் வர்க்கமாகவும், ஆளும் வர்க்கம் அவர்களை அடிக்கடி எட்டிப்பார்த்து குசலம் விசாரிக்கும் நிலைமை ஏற்பட்டுள்ளதென்றால் அதற்கு தொழிற்சங்கங்களின் அயராத போராட்டமும், பணியும்தான் என்று காரணம் துணிந்து கூறலாம்.

இலங்கைத் தொழிற் சட்டங்களின் அபிவிருத்தி

எஸ். இராமநாதன் ஜே. பி.

(பொதுச் செயலாளர் ல. தோ. தொ. யூ.)

இலங்கையில் தொழிற்சங்கங்களின் நூற்றாண்டுகால வரலாற்றினை நாம் ஞாபகப்படுத்துகின்ற இந்த சந்தர்ப்பத்தில் இந்நாட்டில் தொழிலாளர்களுக்காக உருவாக்கப்பட்ட தொழிற்சங்க சட்டங்களின் சில அம்சங்கள் பற்றி குறிப்பிடுவது பொருத்தமானதாகும்.

தொழிற்சங்க வரலாறு ஆரம்பிக்கப்பட்டு கடந்த ஒரு நூற்றாண்டுகாலப்பகுதியில் தொழிலாளர் நலன்கருதி பல தொழிற் சட்டங்கள் உருவாக்கப்பட்டிருந்தாலும் 1858, 1841, 1889 காலப்பகுதியில் தொழிலாளர்களின் சார்பில் சில சட்டங்கள் உருவாக்கப்பட்டிருந்தன.

1858-ம் ஆண்டு உருவாக்கப்பட்ட 15-ம் இலக்க குடிவரவு சட்டம் 1841-ம் ஆண்டு உருவாக்கப்பட்ட 5-ம் இலக்க வேலை ஒப்பந்த சட்டம், 1889-ம் ஆண்டு உருவாக்கப்பட்ட 13-ம் இலக்க இந்திய குடிவரவு தொழிலாளர் சட்டம் போன்றவைகளே இவையாகும்.

ஆரம்பத்தில் பிரித்தானியர்கள் இந்நாட்டை ஆண்டகாலத்தில் வீதிகளை அமைப்பது, பொருளாதார ரீதியில் ஏலம் உற்பத்தியிலீடுபடுவது போன்றவற்றுக்கே தொழிலாளர்கள் தேவைப்பட்டனர். அதன்பிறகு 1835-ம் ஆண்டு பிரித்தானியர்களால் கோப்பிப் பயிர்ச் செய்கை ஆரம்பிக்கப்பட்ட பின்னர், தொழில் செய்யும் நிலப்பரப்பும் தொழிலாளர்களின் எண்ணிக்கையும் அதிகரிக்கத் தொடங்கின. இவ்வாறாக கோப்பித் தோட்டங்களில் வேலைக்கமர்த்த தென்னிந்தியானிலிருந்து தொழிலாளர்கள் இங்கு வரவழைக்கப்பட்ட பின்பே அவர்களின் சார்பில் சட்டங்கள் இயற்றப்பட வேண்டிய அவசியம் ஏற்பட்டது. எனவே மேற்குறித்த மூன்று சட்டங்களும் தோட்டப் புறங்களில் வேலைசெய்துவந்த தொழிலாளர்களின் வேலை, வேலை ஒப்பந்தம், அவர்களுக்காக வழங்கப்பட வேண்டிய வசதிகள் போன்றவற்றை பிரதான அம்சங்களாகக் கொண்டிருந்தன. இந்த சட்டங்கள் மிகவும் பழமைவாய்ந்த சட்டங்களாக இருந்தாலும் அண்மைக்காலம் வரை இச்சட்டங்களில் சேர்த்துக் கொள்ளப்பட்டிருந்த, பல சரத்துக்களை மேற்கோள்காட்டி தொழிற் சங்கங்கள் தொழிலாளர்களுக்காக வாதாடி வந்தன.

1923-ம் ஆண்டு உருவாக்கப்பட்ட 1-ம் இந்திய குடிவரவு தொழிலாளர் சட்டத்தில் தொழிலாளர்களுக்கு வேலை வழங்கும் விதிமுறைகள், அவர்களுடைய பிரயாண வசதி, அவர்களுக்காக வழங்கப்படும் ஏனைய வசதிகள், தொழில், வாழ்க்கை வசதிகளை மேற்பார்வை செய்வது போன்ற அம்சங்கள் சம்பந்தமாகக் குறிப்பிடப்பட்டுள்ளது. இருப்பினும் அவர்களின் வேதனம் சம்பந்தமாக 1927-ம் ஆண்டிலேயே சட்டம் ஒன்று (27-ம் இலக்க ஆகக்குறைந்த வேதனம் (இந்திய தொழிலாளர்) இயற்றப்பட்டது.

இதுவும்கூட இந்திய அரசாங்கத்தின் வலியுறுத்தலின் மூலமே இடம்பெற்றது என்பது குறிப்பிடப்படவேண்டிய ஒன்றாகும்.

பிரசவ சகாய நிதிச்சட்டம்

பிரசவ சகாய நிதிச்சட்டம் 1939-ம் ஆண்டு உருவாக்கப்பட்டது. இச்சட்டம், 32-ம் இலக்க பிரசவ சகாய நிதிச்சட்டம் என அறிமுகப்படுத்தப்பட்டது.

வேலைத்தளங்களில் கடமையில் ஈடுபட்டுள்ள பெண் தொழிலாளர்கள் பிரசவிக்கும் காலத்திற்கு முன்பும் குழந்தை பிரசவித்த காலத்திற்குப் பின்பும் பெற்றுக்கொள்ள வேண்டிய வசதிகள் பற்றி இச்சட்டத்தில் குறிப்பிடப்பட்டுள்ளது. பெண்தொழிலாளர்கள் கர்ப்பிணிகளாக இருக்கும் காலப்பகுதியிலும் குழந்தை பிரசவித்த காலத்திற்குப் பின்பும் அவர்களுக்கு வழங்க வேண்டிய விடுமுறை வசதிகள் பற்றியும் பிரசவ சகாய நிதி வழங்கும் முறை பற்றியும் குறிப்பிடப்பட்டுள்ளது.

ஒரு பெண் தொழிலாளி வருடத்தில் 150 நாட்கள் வேலை செய்திருந்தால் மாத்திரமே சகாய நிதிப்பணத்தை பெறத் தகுதியுடையவராய் உள்ளார் என்ற தாய் சட்டத்திலுள்ள சரத்து மாற்றப்பட்டு ஒரு தொழிலாளி வருடத்தில் ஒருநாள் வேலை செய்திருந்தாலும் இப்பணத்தைப் பெறத் தகுதியுடையவராயுள்ளார் என்று திருத்தம் செய்யப்பட்டுள்ளது முக்கிய அம்சமாகும். இத்திருத்த சட்டத்தின் மூலம் முதலாவது, இரண்டாவது பிரசவத்தின்போது 12 வார சம்பளமும் இரண்டுக்கு மேற்பட்ட குழந்தைகளைப் பெறும் பெண் தொழிலாளிக்கு ஏழுவாரகால சம்பளமும் நிவாரணப்பணமாக வழங்கப்படவேண்டும்.

தொழிற் பிணக்கு சட்டம்

தொழிற் பிணக்கு சட்டம் 1950-ம் ஆண்டு உருவாக்கப்பட்ட 43-ம் இலக்க சட்டமாகும். இச்சட்டத்தில் 1931-ம் ஆண்டு உருவாக்கப்பட்ட 3-ம் இலக்க தொழிற் பிணக்கு (சமாதானப்படுத்தல்) சட்டத்

தினாள் பல அம்சங்கள் உள்ளடக்கப்பட்டுள்ளன. தொழிற்பிணக்குகளை கட்டாயமாக அல்லது இருசாராரின் (முதலாளி தொழிலாளி) இணக்கத்துடன் நடுவர்களிடம் சமர்ப்பித்து பிரச்சினைகளைத் தீர்த்துக்கொள்ள வழி ஏற்படுத்தப்பட்டுள்ளது. இதற்காக நடுவர் நீதிமன்ற, தொழில் நீதிமன்ற போன்ற மன்றங்கள் சட்டரீதியாகச் செயலாற்றும். ஒரு மாவட்ட நீதிபதியும்கூட நடுவராக செயலாற்ற முடியும். இந்த மன்றங்கள் வழக்குகளை விசாரித்து நீதியாக தீர்ப்பு வழங்கக் கடமைப்பட்டுள்ளன. தொழிலாளர்களின் வேலை நீக்கம், தொழில் ஸ்தலங்களில் ஏற்படும் வேலை நிறுத்தம், கூட்டு ஒப்பந்தம் கைச்சாத்திடல், தொழிற்றாபணங்களில் ஆட்குறைப்பு செய்தல் போன்ற பிரச்சினைகளுக்கு தீர்வு ஏற்படுத்தும் பல சிறந்த அம்சங்களை இந்தச் சட்டம் உள்ளடக்கியுள்ளது. இன்று நாட்டில் இயங்கி வரும் தொழிற்கோடுகள் யாவும் இந்தச் சட்டத்தின் அடிப்படையிலேயே உருவாக்கப்பட்டுள்ளன.

தொழில் கொள்வோரால் சேவையிலிருந்து நீக்கப்பட்டுவரும் ஆயிரக்கணக்கானோருக்கு துரிதமாகவும் உறுதியாகவும் நிவாரணம் வழங்கிவரும் மன்றங்களாக இன்று தொழில்நீதி மன்றங்கள் விளங்குகின்றன.

சேவையிலிருந்து நீக்கப்படும் ஒரு தொழிலாளி, சேவையிலிருந்து நீக்கப்பட்ட திகதியிலிருந்து ஆறுமாதம் முடிவதற்குள் தொழில் நீதிமன்றத்துக்கு மனு செய்ய வேண்டும். இச்சட்டத்திற்கு 1990-ம் ஆண்டு கொண்டு வந்த 32-ம் இலக்க திருத்தச் சட்டத்தின் மூலம் கீழ்காணும் அம்சங்கள் சேர்க்கப்பட்டுள்ளன.

ஒரு தொழில்நீதிமன்றில் சமர்ப்பிக்கப்படும் விண்ணப்பம் ஆறு மாத காலத்துக்குள் விசாரிக்கப்பட்டு முடிக்கப்பட வேண்டும். தொழில் வழங்கப்படும் தீர்ப்பினுக்கெதிராக மேல் முறையீடு செய்ய வேண்டுமாயின் தீர்ப்பு வழங்கப்பட்ட 30 நாட்களுக்குள் மேல் நீதிமன்றத்துக்கு முறையீடு செய்ய வேண்டும். மேன்முறையீட்டு நீதி மன்றம் இந்த மனுவை ஆறு மாத காலத்துக்குள் விசாரித்து முடிக்க வேண்டும். மேன்முறையீட்டு நீதிமன்றம் வழங்கும் தீர்ப்பை ஏற்றுக்கொள்ள விரும்பாத ஒரு சாரார் உயர்நீதிமன்றத்தின் அனுமதியோடு அப்பீல் நீதிமன்றத்துக்கு விண்ணப்பிக்க வேண்டும். இலங்கையில் உருவாக்கப்பட்ட தொழிற் சட்டங்களில் தொழிற்பிணக்குச் சட்டம் ஒரு முற்போக்கான சட்டமாகக் கருதப்படுகிறது.

சேமலாப நிதிச் சட்டம்

இச்சட்டம், 1958-ம் ஆண்டு உருவாக்கப்பட்டது. இலங்கையில் உருவாக்கப்பட்ட சட்டங்களில் மிகவும் முக்கியமான சட்டம் இதுவாகும். தொழிலாளர்களிடமிருந்தும் வேலை கொள்வோரிடமிருந்தும் அறவிடப்படும் நிதியின் மூலம் அரசாங்கத்தினால் அமூல் நடத்தப்பட்டுவரும் ஒருதிட்டமானது இதுவாகும். அரசாங்க ஊழியர்களுக்குக் காலனித்துவ காலந்தொட்டு ஓய்வூதியத் திட்டம் அமுலில் இருந்து வருவதால், சேமலாப நிதித் திட்டம் அரசு சார்பற்ற நிறுவனங்களுக்கு மாத்திரமே செயற்படும் ஒரு திட்டமாக உள்ளது. இத்திட்டத்தின் மூலம் இலட்சக்கணக்கான தொழிலாளர்கள் நன்மையடைந்து வருகின்றனர். குறிப்பாக இத்திட்டம் தோட்டத் தொழிலாளர்களுக்குப் பெரும் வரப்பிரசாதமாக அமைந்துள்ளது.

1972-ம் 1975-ம் ஆண்டுகளில் இந்நாட்டின் தனியார் கம்பெனிகளுக்கும், பிரிட்டிஷ் ஸ்டேட்ரின் பவுண் கம்பெனிகளுக்கும் சொந்தமான தோட்டங்கள் தேசியமயமாக்கப்பட்டன. காணி சீர்திருத்த-சட்டத்தின் மூலமே இந்நடவடிக்கை மேற்கொள்ளப்பட்டது. தோட்டங்கள் தேசியமயமாக்கப்பட்ட பின்னர் அத்தோட்டங்களில் தொழில் புரியும் தொழிலாளர்களின் நலன்களை விரிவுபடுத்தி பாதுகாக்கும் அதே நேரத்தில் தோட்டங்களில் இருந்து பெறப்படும் கோடிக் கணக்கான ரூபாய் இலாபத்தை அந்நியர் ஞாபகமற்றவர்களுக்கு அபிவிருத்திக்காக அதனைப் பயன்படுத்த வேண்டுமென்பதே இதன் நோக்கமாகவிருந்தது. தோட்டங்கள் தேசியமாக்கப்பட்ட பின்னர் தொழிலாளர்கள் சார்பில் இயற்றப்பட்ட பல சட்டங்களில் தொழிற்சங்கப் பிரதிநிதிகள் (தோட்டங்களுக்குள் பிரவேசிக்கும்) சட்டம், தொழிலாளர் வசிப்பிட (விசேட சரத்து) சட்டங்கள் மிகவும் முக்கியமாகக் குறிப்பிடக்கூடியவைகளாகும்.

தொழிற்சங்கப் பிரதிநிதிகள் தோட்டங்களுக்குள் பிரவேசிக்கும் அதிகாரச் சட்டம்

இந்நாட்டில் தொழிற் சங்கங்கள் ஆரம்பிக்கப்பட்டு நூறு வருடங்கள் கடந்து விட்டாலும் தோட்டத் தொழிலாளர்களைப் பொறுத்த மட்டில் 1970-ம் ஆண்டு வரை அவர்களுக்குப் பூரண தொழிற் சங்க உரிமை இருந்ததாகக் கூறமுடியாது. தொழிற்சங்க உத்தியோகத்தார்கள் தோட்ட நிர்வாகிகளின் அனுமதியின்றி தோட்டங்களுக்குச் செல்லவும் தொழிலாளர்களைச் சந்திக்கவும் அவர்களின் மத்தியில் கூட்டங்களை நடத்தவும் உரிமை இருக்கவில்லை. 1970-ம் ஆண்டு

உருவாக்கப்பட்ட கூட்டரசாங்கத்தில் தோட்டக் கைத்தொழில் அமைச்சராவிருந்த லங்கா தோட்டத் தொழிலாளர் யூனியனின் முன்னாள் தலைவர் கலாநிதி கொல்வின் ஆர். டி. சில்வா 1970-ம் ஆண்டு தொழிற்சங்கப் பிரதிநிதிகள் தோட்டத்திற்குள் பிரவேசிக்கும் சட்டம் ஒன்றை அறிமுகப்படுத்தினார்.

இதன்மூலம் தோட்டத்திற்குள் பிரதிநிதி நிர்வாகத்துக்கு ஒரு வாரகால அறிவித்தல் கொடுத்துவிட்டு, அங்கு சென்று தொழிலாளரைச் சந்தித்து உரையாடவும் கூட்டங்களை நடத்தவும் சட்டரீதியான உரிமை வழங்கியிருந்தார். இதனைத் தடுக்க முயற்சிக்கும் தோட்ட நிர்வாகிக்கு எதிராக நீதிமன்றம் மூலம் தண்டனை வழங்குவதற்கான சரத்து இச்சட்டத்தில் சேர்க்கப்பட்டிருக்கிறது.

தொழிலாளர் வசிப்பிட (விசேட சரத்து) சட்டம்

தொழிலாளர் வசிப்பிட (விசேட சரத்து) சட்டமும் கலாநிதி கொல்வின் ஆர். டி. சில்வாவினாலேயே அறிமுகப்படுத்தப்பட்டது.

ஒரு தொழிலாளி தோட்ட தொழிலிலிருந்து நீக்கப்பட்டாலும் அத்தொழிலாளி தொடர்ந்தும் தனக்கு வழங்கப்பட்டிருந்த லயன் காம்பிராவிலேயே இருக்கலாம் என்ற உரிமையை இச்சட்டம் வழங்கியுள்ளது. இச்சட்டம் அறிமுகப்படுத்தப்படுவதற்கு முன்னர் தோட்டங்களிலிருந்து வேலைநீக்கம் செய்யப்பட்ட தொழிலாளர்கள் பல சந்தர்ப்பங்களில் கிரிமினல் அத்துமீறல் சட்டத்தின் கீழ் தோட்டங்களிலிருந்து வெளியே தூக்கி எறியப்பட்டிருக்கின்றனர்.

தொழிலாளர் வேலை நீக்க (விசேட) சட்டம்

1971-ம் ஆண்டு உருவாக்கப்பட்ட 45-ம் இலக்க சட்டமென மேற்படி சட்டம் அறிமுகப்படுத்தப்பட்டது. கடந்த காலங்களில் தொழிலாளர்கள் தொழில் கொள்வோரினால் திடீர், திடீரெனச் சேவையிலிருந்து தூக்கியெறியப்பட்டனர். அவ்வாறு தொழிலாளர்கள் சேவையிலிருந்து நீக்கப்படுவதை தடை செய்யும் நோக்குடனேயே மேற்படி சட்டம் உருவாக்கப்பட்டது. இச்சட்டத்தின்படி ஒரு வேலைகொள்வோர் ஒரு தொழிலாளியையோ அல்லது தொழிலாளர்களையோ வேலையிலிருந்து (ஒழுங்கு நடவடிக்கையின் காரணத்தைத் தவிர்த்த) நீக்கம் செய்யும் முன் தொழில் ஆணையாளரின் அனுமதியை பெற்றுக்கொள்ள வேண்டும் என்றும் அப்படி இல்லாத வேலை நீக்கங்கள் சட்டத்துக்கு முரணானது என்றும் வலியுறுத்துகிறது.

தொழிலாளர் நட்பு சட்டம்

இலங்கையில் தொழிலாளர்களுக்காக உருவாக்கப்பட்ட பழமை வாய்ந்த சட்டங்களில் இதுவும் ஒன்றாகும். தொழிலாளர்கள் தொழிலில் ஈடுபட்டுள்ள நேரங்களில் அவர்களுக்கு ஏற்படும் விபத்துக்களுக்காக வழங்கப்படும் நட்பு சம்பந்தமான சட்ட நடைமுறைகளே இச்சட்டத்தில் விளங்கப்படுத்தப்பட்டுள்ளன. தொழிலாளர்களுக்காக உருவாக்கப்பட்ட சட்டங்களில் மிகவும் உறுதியான சட்டமென இது கணிக்கப்படுகிறது. விபத்துக்களினால் பாதிக்கப்படும் தொழிலாளர்களின் மனங்களை விசாரணை செய்யும் ஆணையாளர் மாவட்ட நீதிபதியைப்போன்ற அதிகாரமுடையவராகச் செயற்பட முடியும். சுமார் 40 வருடங்களாக எதுவித திருத்தங்களும் இச்சட்டத்திற்குக் கொண்டுவரப்படவில்லையாயினும் 1990-ம் ஆண்டு இது சம்பந்தமாக இயற்றப்பட்ட 15-ம் இலக்க திருத்தச் சட்டத்தின் மூலம் பாதிக்கப்பட்ட தொழிலாளர்களுக்கு வழங்கப்படும் கொடுப்பனவுகள் அதிகரிக்கப்பட்டுள்ளன.

ஊழியர் நம்பிக்கை நிதிச் சட்டம்

1979-ம் ஆண்டு இயற்றப்பட்ட 32-ம் இலக்க சட்டம் இதுவாகும். இச்சட்டத்தின்படி ஒரு தொழிலாளிக்குத் தான் தொழில் செய்துகொண்டிருக்கின்ற காலத்தில் தனது வேதனத்திலிருந்து மூன்று வீதத்தையும் தொழில் கொள்வோரின் வேதனத்திலிருந்து மூன்று வீதத்தையும் சேகரித்து வழங்கவேண்டுமென வலியுறுத்துகிறது. சேமலாப நிதிச் சட்டத்தின்படி சேகரிக்கப்படும் நிதியைப் பெற்றுக்கொள்ள ஒரு ஆண் தொழிலாளி 55 வயதையும் ஒரு பெண் தொழிலாளி 50 வயதையும் அல்லது ஒரு பெண் தொழிலாளி திருமணம் முடிக்கும் காரணத்தையும் அல்லது ஒரு ஆணோ பெண்ணோ நிரந்தரமாக வேலை செய்ய முடியாது என்பதை உறுதிப்படுத்தி மீளப் பெற்றுக் கொள்ளலாம், அல்லது இந்நாட்டைவிட்டு நிரந்தரமாக வெளியில் செல்லும் காரணத்தினால் பெற்றுக்கொள்ளலாம். ஆனால் தொழிலாளர் நம்பிக்கை நிதியை மீளப் பெற்றுக்கொள்ள இப்படியான காரணங்கள் அவசியமில்லை.

சேவைகாலப் பணம் வழங்கும் சட்டம்

தொழிலாளர்கள் சேவையிலிருந்து ஓய்வு பெறும்பொழுது அவர்களுக்கு சேவைகாலப் பணம் வழங்கும் முறை சம்பந்தமான சட்டம் 1983-ம் ஆண்டில் இயற்றப்பட்ட 12-ம் இலக்க சட்டமாகும். இந்தச் சட்டத்தின்படி நாட் சம்பளம் பெறுவோர்-சேவை செய்த ஒவ்வொரு வருடத்துக்கும் 14 நாட் சம்பளம் என்ற அடிப்படையிலும் மாதச்

சம்பளம் பெறுவோர் ஒவ்வொரு வருடத்திற்கும் அரை மாதச் சம்பளம் என்ற அடிப்படையிலும் சேவைகாலப் பணத்தைப் பெற்றுக் கொள்ள முடியும். இந்தச் சட்டத்தின்படி தொடர்ச்சியாக ஐந்து வருடங்களுக்குமேல் வேலை செய்தவர்களே சேவைகாலப் பணத்தைப் பெற்றுக் கொள்ளமுடியும். ஒரு தொழிலாளி சேவையிலிருந்து நீங்கிக் கொண்டாலோ, நீக்கப்பட்டாலோ அந்தத் திகதியிலிருந்து முப்பது தினங்களுக்குள் சேவைகாலப் பணத்தை வழங்க வேண்டும் என இச் சட்டம் கூறுகிறது. ஒரு வேலை கொள்வோரிடம் 15-க்கு மேற்பட்ட தொழிலாளர்கள் இருந்தால் அங்குள்ள தொழிலாளர்களுடைய சேவைகாலப்பணம் சம்பந்தமாக நடவடிக்கை எடுக்கும் சட்ட அதிகாரம் தொழில் ஆணையாளருக்கு உண்டு. 15 தொழிலாளர்களுக்குக் குறைந்த ஒரு வேலை கொள்வோரிடம் உள்ள தொழிலாளர்களுக்கு சேவைகாலப்பணம் வழங்குதலில் ஏற்படும் பிரச்சினை சம்பந்தமாக தொழில் மன்றத்தின் மூலம் நீதி கோரலாம்.

ஏனைய சட்டங்கள்

இக்காலப்பகுதியில் தொழிற்சாலைச் சட்டம், பெண்கள், குழந்தைகள், இளைஞர் போன்றோரை வேலைக்கமர்த்திக் கொள்வதற்கான சட்டம், சாப்பு, காரியாலய ஊழியர் சட்டம், மருத்துவ தேவை சட்டம், நோய் (தொழிலாளர்) சம்பந்த சட்டம், தொழிற் சங்கங்களின் சட்டம், சம்பள சபைகளின் சட்டம் போன்ற பல சட்டங்கள் தொழிலாளர்களின் நன்மை கருதி உருவாக்கப்பட்டன.

மேற்கூறப்பட்டுள்ள அநேகமான சட்டங்கள் ஏனைய சில நாடுகளில் தொழிலாளர்களின் சார்பில் உருவாக்கப்பட்டுள்ள சட்டங்களைவிட முன்னேற்றகரமானவை என்பதில் இந்நாட்டுத் தொழிலாளர் வர்க்கத்தினர் பெருமைப்படுகின்றனர்.

தொழிலாளர்கள் தங்களுக்குச் சாதகமான சட்டங்களை உருவாக்கிக் கொள்வதற்கு கடந்த நூற்றாண்டு காலப் பகுதியில் அவர்கள் நடத்திவந்த தொழிற்சங்கப் போராட்டங்களே காரணமாகும் என்றால் மிகையாகாது.

பெருந்தோட்டத்துறை தொழிலுறவுகளின் போக்கு ஒரு பொது நோக்கு

ஓ. ஆறுமுகம்

முதுநிலை விரிவுரையாளர்,
இலங்கை மன்றக்கல்லூரி,
உதவிப் பொருளாளர்,
தொழிலாளர் கல்வியாளர் கழகம்.

பெருந்தோட்ட தொழிலுறவுப் போக்குகள்

இலங்கையின் நவீன பொருளாதாரத்திற்கான வித்து 1829 கோல்புருக் சீர்திருத்தத்துடன் இடப்பட்டு இன்று சுமார் 175 வருடங்கள் ஆகிவிட்டன. கோல்புருக் பொருளாதார அறிமுக அடித்தளம் பெருந்தோட்டங்களாகும். இவை இன்றும் அசைக்க முடியாத ஆணிவேராக இலங்கைப் பொருளாதாரத்தில் உள்ளன. ஆகவே, இங்கு அது அறிமுகப்படுத்திய அல்லது அதனால், ஏற்பட்ட சமூக உறவுகள், தொழிலுறவுப் போக்குகள், அடிப்படையில் பெருந்தோட்டங்களில் இன்றும் ஒரே தன்மையானதாகவே அதிக மாற்றமின்றி நிலைபெற்று வருவது அவதானிக்கத்தக்கது.

இலங்கைத் தொழிற்சங்க இயக்கம் நூறு ஆண்டுகளைக் கடந்த பிரதிபலனாக பெருந்தோட்டம் தவிர்ந்த தொழிற்றுறை தொழிலுறவில் வேறுபாடான அல்லது சற்றேனும் முன்னேற்றமான போக்கு அவதானிக்கக்கூடியதாக உள்ளது. எனினும், இங்கும் குறிப்பிட்ட தரப்பாரின் மனப்பாங்கிலும் கூட புரையோடியுள்ள தன்மைகளை வேறு ஆய்வில் தனியாகப் பார்க்க வேண்டும்.

இன்றும் பெருந்தோட்டங்களில் நிலவும் தொழிலுறவின் சமூகத்தன்மையானது அடிமைக் கலாசாரத்தினை ஒட்டியதாக இருப்பது வெறுப்பான விவகாரமாயினும் எற்றுக்கொள்ள வேண்டிய கசப்பான ஒன்றாகும். இதனை இக்கட்டுரையின் போக்கில் உணரத்தக்கதாக இருக்கும்.

பெருந்தோட்டத்துறை அமைப்பு

பெருந்தோட்டங்கள் எங்கெங்கு உள்ளனவோ அங்கெல்லாம் அது தனித்துவமான ஒரு பொருளாதார, சமூக, அரசியல் அமைப்பைக் கொண்டதாகவும் மிகக்குறைவான உறவினையே நாட்டின் ஏனைய பிரிவுகளுடன் கொண்டிருப்பதும் அதன் முக்கிய பண்புகளாகும்.

ஒரு இறுக்கமான நிர்வாக அமைப்பையும் (இராணுவத்தன்மை போன்றது) கூடுதலான தொழிலாளர்களையும் (அவர்கள் அனைவருமே - முழுக்குடும்பமும் - பெருந்தோட்டத்தோடு பொருளாதாரரீதியாக இல்லாவிடினும் சமூக நிர்வாக அடிப்படையில் நேரடியாகவோ மறைமுகமாகவோ தொடர்புபட்டு, கட்டுப்பட்டவர்களாக இருப்பர்) கொண்டிருக்கும்.

இத்தொழிலாளர் அன்னியமானவர்களாக, பெருந்தோட்டத்திற்குள்ளேயே கட்டுப்படுத்தப்பட்டவர்களாக ஏனைய சமூக உறவுகளின் தாக்கத்தை அதிகமாக உள்வாங்கமுடியாதவர்களாக இருப்பர். அதாவது இதனை மூடப்பட்ட பொருளாதார அமைப்பாகக் கூறுவர். எனவே, இப்பொருளாதார அமைப்பானது அதன் மக்கள் கூட்டத்தின் வாழ்வு முறையையும் மூடப்பட்டதாகவே ஆக்கி வைத்திருக்கும்.

இதனது உற்பத்திகள் உள்நாட்டில் மிகவும் குறைவான பாவனை உடையதாகவும் சர்வதேசரீதியான சந்தையிலேயே தங்கியும் இருக்கும். எனவே, இதன் விலைகள், உற்பத்தியாளர்களுக்கான ஊதியம், தொழிலுறவு அனைத்துமே சர்வதேச சமூகத்தின் வாழ்க்கை முறையில் தங்கி இருப்பது முக்கியமான தன்மையாகும். எவ்வளவுதான் முயற்சித்தபோதும் தேசிய பொருளாதார முயற்சி களுடன் இதனை இணைப்பது கடினமாகவே இருக்கும்.

இலங்கைப்பெருந்தோட்டங்கள்

இலங்கைப் பெருந்தோட்டங்களை ஆரம்பிக்க உள்ளூர் காடுகளை அழித்து மலைகளில் புதிய தோட்டங்களை ஆக்குவது என்பது கடுமையான காரியம் என்பதால் உள்ளூரில் ஆட்சனை அமர்த்துவது இலேசாக இருக்கவில்லை. ஏனையோரின் கீழ் கூலிக்கு, அதிகார ஆணையின் கீழ் இயங்கவும் உள்ளூர் மக்கள் விரும்பவில்லை. எனவே, எச்சுழ்நிலையையும் ஏற்கக்கூடியதான தோட்டவேலைத் தளங்களை விட்டுவிட்டுப்போக முடியாத ஒரு மக்கள் கூட்டம் அவசியப்பட்டது. இதற்கு தென்னிந்திய கிராமிய சமூக அடித் தளத்தில் வறுமையால், அரசு வரிகளால் பாதிக்கப்பட்ட மக்கள். பொருத்தமானவர்களாகக் காணப்பட்டனர். எனவே, இவர்கள் தமது எதிர்காலத்தை எண்ணி இலங்கைக்கான கூலிப்பட்டாளத்தில் இணைந்தனர். இலங்கைக்குப் போக இலகுவாக சேர்க்கப் பட்டனர்.

இந்தியாவும் இலங்கையும் பிரித்தானியாவின் ஆட்சிப் பிராந்தியங்களானபடியால் சிக்கல்கள் எதுவும் தென்படவில்லை.

பிரித்தானியர் குடியேற்ற நாட்டாட்சியின் சூட்சுமங்களை அறிந்தவர்கள். எனவே, சமூக கட்டமைப்பைப் பயன்படுத்தி, ஆட்சேர்ப்பை மேற்கொண்டு இலங்கையிலும் அதே மாதிரியான ஒரு சூழ்நிலையை உருவாக்கினர். சாதியடிப்படையில் அதிகாரம், இருப்பிட வசதியோடு, கங்காணிமார்களில் தங்கி இருக்கக்கூடியதான இந்திய சமூகப் படிமுறைக்கொப்பான அமைப்பு இங்கும் ஏற்படுத்தப்பட்டது. தொழில் அமைப்பு, வசதிகள், தனிப்படுத்தப்பட்ட இருப்பிடப் பிரிவுகள் அனைத்தும் திட்டமிட்ட அடிப்படையில் வழங்கப்பட்டன. நிர்வாக படிமுறைக்கேற்ப. சமூககட்டமைப்பும் மிகஇறுக்கமாகவும் பேணப்பட்டது.

தென் ஆபிரிக்காவில் கறுப்பினத்தவர்களின் இரண்டாம் தரத்தன்மையை நிரூபிக்கத்தக்கதாக கல்வி, சமூக ஏற்பாடுகள் செய்யப்பட்டது போல் தோட்ட மக்களின் மனப்பாங்கு அடிமை முறைமையை ஏற்றுக்கொள்ளத்தக்கதாய் ஆக்கப்பட்டது. இதனால் தான் இம் மக்கள் எதற்கும் உத்தரவு அல்லது ஆணையைஎதிர்பார்த்து இன்றும் கூட உள்ளனர். தோட்டத்தில் தங்கி இருப்பது மாத்திரமல்ல சமூக வாழ்விற்கும் உயர் அதிகாரப்படிமுறையில் தங்கி இருக்கும் மனோபாவம் இவ்வமைப்பு முறையில் இன்றைய தோட்ட சமூக இளைஞர் மத்தியிலும் கூட தொக்கி நிற்பது அவதானிக்கத்தக்க ஒன்றாகும்.

பெருந்தோட்ட அமைப்பு முறை, தோட்டங்கள் காடழிக் கப்பட்டு வித்திடப்பட்டது முதல் இன்றுவரை அதன் அடிப்படைத் தன்மையானது மாறுபாடுகளின்றி அப்படியே கொண்டுவரப்பட்டுள்ளது மிக முக்கியமான ஒர் அம்சமாகும். சில சமயங்களில் ஓரளவு தளம்பல் காணப்பட்டபோதிலும் தற்போது மிகவும் ஆழமாக ஸ்திரப்பப்பட்டுள்ளமையும் அவதானிக்கத்தக்கது.

உரிமை மாற்றம்

இலங்கைப் பெருந்தோட்டங்கள் முற்றுமுழுதாக அன்னிய கம்பனிகளால் உரிமையாக்கப்பட்டிருந்தன. ஆனால் சுதந்திரத்திற்கு முன்பே வேறு உள்ளூர் உயர்வர்க்கத்தாரும் சிறுசிறு உடமையாளராக மாறத்தொடங்கினர். குறிப்பாக சுதந்திரத்தின் பின் இறப்பர் தோட்டங்கள் குறிப்பாகவும் ஏனைய தோட்டங்களும் தனியாரினால் அதாவது உள்ளூரவர்களால் கொள்வனவு செய்யப்பட்டன.

இலங்கையின் அரசியல் கோட்பாட்டு மாற்றங்களும் பெருந்தோட்டங்களின் உரிமை பற்றிய பல அக்கறைகளை உயர்குழாத்தினரிடையே ஏற்படுத்தி இருந்தது. இதனால் அன்னியரிடமுள்ள தோட்டங்கள் நாட்டுரிமையாக்கப்படல் வேண்டுமென்ற கோஷம் படிப்படியாக சக்திபெற்று வளர்ந்தது. இதன் உச்சக்கட்டமே 1970 இன்பின் ஏற்பட்ட கிளர்ச்சியோடு கூடிய 1972 நிலச்சீர்திருத்தம். இது அனேகமாக எல்லாப்பெருந்தோட்டங்களையும் அரசுடமையாக்கியது. 1975 அளவில் சகல பெரும் கம்பனித் தோட்டங்களும் அரசுடமையாகின. அரசியல்மயப்படுத்தப்பட்டதான அமைப்புக்கள் பெருந்தோட்டங்களை கூறுபோட்டு நிர்வகிக்கத் தொடங்கின.

1972 — 1990 காலத்தில் பெருந்தோட்ட அமைச்சின் கீழ் கொண்டு வரப்பட்ட தோட்டங்கள் பல்வேறு காரணங்களால் (நிர்வாகத் திறனின்மை உட்பட) நட்டமடைந்து இழுத்துச் செல்லப்பட்டதான கூற்றின் அடிப்படையிலும் சர்வதேச தாக்கத்தின் அடிப்படையிலான “கட்டமைப்பு சீர்செய்கை” களின் ஊடாக தனியார்முகாமைக்கும் தனியார்மயப்படுத்தலுக்கும் தற்போது உள்ளாகியுள்ளன.

பெருந்தோட்டங்கள் உருவாக்கப்பட்ட நிலம் கிராமிய மக்கள் பாவிக்கப்படுவதற்காக இருந்த அல்லது அவர்களது கிராமங்களை அண்டிய நிலங்கள் ஆகும். இதுபற்றிய ஆழமான ஆய்வும் அவசியம். அவற்றில் வேலைக்கமர்த்தப்பட்டவர்கள் இன்னொரு சமூகத்தைச் சார்ந்த அன்னியர்கள். இவ்வாறான சூழ்நிலையில் இவர்கள் இருபிரிவுகளுக்குமிடையே ஒரு வேற்றுமை அல்லது வெறுப்பு ஆக்கப்பட்டிருந்தது. இருபிரிவு மக்களுமே உழைப்பாளர்கள் எனினும், உயர்குழாத்தினர், தோட்ட அதிகாரிகள், அரச அதிகாரிகள் தோட்ட மக்களை தனிமைப்படுத்தினர். அதேவேளை, தமது அதிகாரம் தமது செல்வாக்கு பறிபோன கிராமியத்தலைமை அங்கலாய்த்தது. நிலம் அதிகமானவை அவர்களுக்கே உரியதாய் இருந்தவை. எனவே, ஆழமாய் ஒரு கோபம் இவர்களிடம் ஊறிப்போய் இருந்தது.

அதேவேளை, பிரித்தானியரின் செல்வாக்கால் அவர்களிடம் சேவகம் புரிந்து பட்டம் பெற்று உயர்ந்த ஒரு பிரிவினரும் உருவாகத் தொடங்கினர். இப்பிரிவினர் கல்வியிலும் செல்வத்திலும் உயர்ந்தனர் இவர்களுக்கு அதிகாரம் அவசியமாகியது.

இவர்கள், உள்ளூர் நிர்வாக அதிகாரத்தினைப் பெறவும் அரசியல் தலைமையைப் பெறவும் முழுமுயற்சியில் ஈடுபாடு காட்டினர். அவர்களின் முயற்சியால் பிரித்தானியர் அரசியல் மாற்றங்களை படிப்படி

யாகப் புகுத்தினர். இதனால் புதிய அதிகாரவர்க்கம் உருவாகியது. சட்ட நிருபணசபை, அரசாங்கசபையின் மூலம் உயர்வுபெற்ற இவர்கள் தம் அதிகாரத்தை நிலைநிறுத்தவும் மக்களிடையே செல்வாக்கை பெறவும் கடைப்பிடித்த வழிவகைதான் தோட்டங்களின் உரிமை பற்றிய எதிர்ப்புக்கருத்துக்கள். இந்தியர் வெளியேற வேண்டும் என்ற இக்கருத்து இந்நாட்டு சிங்கள மக்கள் மத்தியில் ஆழமாக வேரூன்றியது. “எமது வாழ்க்கையைப் பாதிப்போர் தோட்ட இந்தியர். அவர்கள் வெளியேற்றப்படல் வேண்டும். “எமது வாழ்வோடு தொடர்பான பிரச்சினைகள் இந்தியத்தோட்டத் தொழிலாளர் பிரச்சினை” என்றெல்லாம் கோஷங்கள் முன்வைக்கப்பட்டன. இது இன்றும் சிங்கள மக்கள் அடிமனதில் பலமாக இடம்பெற்றுள்ளது.

தொழிற் சங்க வருகை

இவ்வாறாக ஒரு புறம் இந்தியர் எதிர்ப்பு வளர்க்கப்பட மறுபுறம் சர்வதேச தொழிலாளர் வர்க்க ஒறுமைப்பாட்டின் தத்துவங்களால் உந்தப்பட்ட இடதுசாரிகளான கலாநிதி என். எம். பெரேரா, கலாநிதி கொல்வின் ஆர். டி. சில்வா போன்றோரின் தலைமையிலான இயக்கம் தேசிய ரீதியாக சிங்கள, தமிழ், நகர. தோட்டத் தொழிலாளர் அனைவரையுமே கவர்ந்திழுத்தது. சகல தொழிலாளர்க்கும் சமவுரிமை வழங்க வேண்டும், தொழிலாளவர்க்க ஆட்சி ஏற்பட வேண்டும் என்ற இவர்களின் கருத்தால் முழு மலையகத்திலும் லங்கா சமசமாஜக்கட்சி செல்வாக்குப்பரவத் தொடங்கியது. மலையக தொழிலாளரின் சேவைகளை அங்கீகரித்து அவர்களின் வர்க்க உணர்வைத் தூண்டி அரசியல்மயமாக்கியவர்கள் இவர்களே. இவர்களின் அரசியல் செயற்பாட்டினது விளைவுகளே முல்லோயா, வேவஸ்ஸ போராட்டங்களாகும்.

இதற்கிடையே பெருந்தோட்டத்துறைத் தொழிலாளரின் உரிமைகளுக்காக அமைப்பு ரீதியாகப் போராடிய முதல் தலைவரான திரு. நடேச ஐயர் தன்னுடைய தொழிற்சங்க இயக்கத்தை ஆரம்பித்ததே திரு. ஏ. ஈ. குணசிங்க போன்றோருடனேயே என்பதும் இனவாதம் தொழிற்சங்க இயக்கத்தில் புகுந்ததால் இவர் தனியே இயங்க வேண்டிய நிலை ஏற்பட்டது என்பதும் முக்கியமாக இலங்கை தொழிலுறவு இயக்க வரலாற்றில் குறிப்பிடத்தக்க நிகழ்வுகளாகும்.

இவர் இரவோடிவாக பல்வேறு வடிவங்களில் தோட்ட மக்களின் உணர்வுகளைத்தட்டி எழுப்பி உரிமைகளுக்காய் போராட வைத்தார்.

எனினும், இவ்வியக்கங்கள் இனவாதச் சக்திகளின் செல்வாக்காலும் இரண்டாம் உலக யுத்தத்தில் பிரித்தானிய கொள்கைக்கு மாறாக அமைந்ததாலும் இயக்கமிழந்தன. இருந்தபோதிலும் இவ்வமைப்புகளின் வர்க்க நடவடிக்கைகளின் விளைவுகள் சமீப காலம்வரை இலங்கையின் தொழிலுறவுகளில் தொழிற்சட்ட ஆக்கங்களில் பலமான செல்வாக்கைப்பெற்றுவந்தமை மறுக்க முடியாத ஒன்றாகும்.

ல. ச. ச. க வாதத்திறமை, கொள்கைப் பரப்பல் தாக்கத்தினால் பிரேஸ்கேடில் போன்ற தோட்ட நிர்வாகிகளும் கூட இவர்களோடு இணைந்ததையும் பிரித்தானிய ஆளுகைக்குக் கீழான சர்வசன வாக்குரிமையால் தெரிவு செய்யப்பட்டிருந்த அரசாங்க சபை உடனடியாக இவரை நாட்டை விட்டு வெளியேறுமாறு உத்தரவிட்டமையும் தொழிலாளர் வர்க்க நலன் அமைப்புக்களுக்கும் எதிர்இனவாத வலதுசாரி அமைப்புக்களுக்குமிடையேயான பலப்பரீட்சையையும் தோற்றுவித்தமையும் அவதானிக்கலாம்.

லங்கா சமசமாஜக் கட்சியின் அரசியல் நடவடிக்கைகள் தீவிரமாக இருந்த காலகட்டத்தில் 1930ன் பிற்பகுதியில் (நடேசஜியர் செயற்பாடுகள் ஓரளவு மட்டுப்பட்டுவிட்டன) இந்திய தேசிய காங்கிரஸ் தலைவர்களின் செல்வாக்கால் தனித்துவமாக இந்தியர்களுக்காகவே இலங்கை இந்திய காங்கிரஸ் உருவான போதிலும் இதன் பின்னணித் தலைவர்கள் வர்த்தகத்துறையுடனும் இந்தியாவுடனும் நெருங்கிய தொடர்புடையவர்களானதால் இந்திய வம்சாவளியினரிடையே அதிதீவிர ஆதரவைப் பெறலாயினர். பெருந்தோட்டத்துறையில் பெரியகங்காணிகளாகவும் நிர்வாகிகளாகவும் இருந்தவர்களின் ஆதரவுடன் இச்சங்கம் செல்வாக்குப் பெற்றது. இடதுசாரிகளின் முடக்கம் காரணத்தால் இவர்களின் செல்வாக்குக் கூடியது. ஓரளவு நிர்வாகம் கூட இவர்களுக்கு ஆதரவாக இல்லாவிட்டாலும் எதிர்ப்பில்லாமல் இருந்தது எனலாம். இச்சங்கத்தின் செல்வாக்கு, 1947 முதல் பாராளுமன்றத் தேர்தலில் 6 பேர் தெரிவாகி இருந்தமை மூலம் உறுதியாயிற்று. அத்தோடு, 14 தேர்தல் தொகுதிகளில் தோட்டத் தொழிலாளர்கள் பிரதிநிதிகளைத் தெரிவு செய்வதில் செல்வாக்குச் செலுத்தினர். இது இடதுசாரிகளின் மறு பிரவேசமும், அடிப்படையில் தோட்டத் தொழிலாளர்களின் வர்க்கஉணர்வின் வெளிப்பாடுமேயாகும்.

தேசிய அரசியல் வளர்ச்சியும் தொழிலுறவு தொடர்பான அரசியல் நடவடிக்கைகளும்

இலங்கையில் முதன்முதல் தொழில் தொடர்பான சட்டங்கள் எல்லாம் தோட்டத் தொழிலாளர் தொடர்பாகவே ஆக்கப்

பட்டன, ஆனால், ஏனைய நாடுகளைப் போலல்லாது தொழிற் சங்கப் போராட்டங்களின்றி ஆரம்பகாலத்தில் இந்தியாவின் வலியுறுத்தலின் பேரிலும் சுமுகமான தொழிலாளர் விநியோகத்தின் அவசியமும் காரணமாகவே இந்தச்சட்டங்கள் ஆக்கப்பட்டன. இதில் குறிப்பாகக் கூறக்கூடியவை 1912, 1913, 1927 ஆண்டுகளில் கொண்டுவரப்பட்ட மருத்துவ தேவைகள் கட்டளைச் சட்டம், தொழிலாளரிடையேயான நோய்கள் பற்றிய சட்டம், 1927 குறைந்தபட்ச வேதனைச் சட்டம் என்பனவாகும்.

1931 இன்பின் ஏற்பட்ட தொழிற்சட்டங்கள் யாவும் அரசியல் உந்துதல் மூலமாக ஆக்கப்பட்டவை எனலாம். இவற்றில் தொழிற் பிணக்குகள் சட்டம் (சமாதானப்படுத்தல்) 1931, 1935 தொழிற் சங்க கட்டளைச் சட்டம், பிரசவ சகாய நிதிச்சட்டம் என்பன முக்கியமானவையாகும்.

இச்சட்டங்களில் 1912, 13 மருத்துவ தேவைகள் நோய்கள் தொடர்பான சட்டங்களின்படி “வசிக்கத்தகுதியற்றதாக ஒரு வதிவிடம் கருதப்பட்டால்” அது “அழிக்கப்படல் வேண்டும்” என்றும் “ஆறு நாட்கள் கிழமையில் வேலை செய்ய விரும்பினால் அவருக்கு தொழில் அல்லது சம்பளம் வழங்கப்படல் வேண்டும்” என்றுமுள்ளது. ஆனால் இவ்விடயங்கள் தொடர்பாக இன்றும் தொழிற்சங்க நடவடிக்கைகள் உக்கிரமமாகவே உள்ளன. இது எவ்வளவு தூரம் இவை அமுலாக் கப்பட்டுள்ளன என்றும் தொழிலுறவுப் பங்களிகள் எவ்வாறான அணுகுமுறையை கொண்டுள்ளனர் என்பதனையும் கோடிட்டுக்காட்டுகின்றது.

இப்பின்னணியில் பெருந்தோட்டங்களில் நிலவிய தொழிலுறவு-பணிகொள்வோர், பணியாளர் உறவானது-ஏனைய தொழிற்றுறைகளில் போலல்லாது ஒரு தரகர் அமைப்பைக் கொண்டதாகவே இருந்தது. தொழிலாளர்களின் விவகாரங்கள் பற்றிக்கவனித்து அவர்களை வழிநடத்துவதன் பொறுப்புகள் பெரிய கங்காணிமாருக்கும் அவரின் கீழிருந்த சில்லறைக் கங்காணிகள் என்ற உபபிரிவினருக்கும் வழங்கப்பட்டன. இவர்களே இந்தியாவிலிருந்து ஆட்சேர்த்து இங்கு கொண்டுவந்தவர்கள். இவர்களுக்காக தோட்ட நிர்வாகம் ஒரு சிறு கொடுப்பனவையும் கொடுத்தது. இவர்களே தோட்ட முகாமைக்கும் தொழிலாளர்களுக்குமான தொடர்பாளராக இருந்தனர். சகல தொழிலரீதியான பிரச்சினைகளும் இவர்களால் தீர்க்கப்பட்டன, சமாதானமாயும் பலாத்காரமாயும் பொருத்தமான வழிமுறைகள் கடைப்பிடிக்கப்பட்டன. மறைமுகமாக தோட்டநிர்வாகம் தொழி

லாளர்களின் எழுச்சியை அடக்கக் கூடியதாக சமூக கட்டமைப்பைப் பயன்படுத்தியது. அதிகாரம் பெற்ற கங்காணிமார் சமூகத் தேவைகள், பொருளாதாரத் தேவைகள் அனைத்தையும் கவனித்துக் கொண்டனர். இவ்வாறான செயற்பாடுகளுக்கெதிரான உணர்வுகள் தூண்டப் பட்டதன் விளைவுகள்தான் ஏற்கனவே கூறப்பட்ட போராட்டங் கள். இவ்வாறான கங்காணிமார்கள் தோட்ட நிர்வாகத்திற்காக தொழிலாளர்களை அடக்கியதோடு தொழிலாளர்களின் மனித உரிமைகளைப் பறித்து அவர்களை மேலெழ விடவில்லை.

இலங்கை சுதந்திரம் அடையும் போது பெரியகங்காணி முறைக்கு எதிராயும் குற்றவாளிகளைப் போல் தொழிலாளர்களை இடத்துக் கிடம் தேடிக் கைதுசெய்து தண்டித்தமை, குறைந்தபட்சம்பளம் வழங்கல், வேலைநிலைமை போன்றவை தொடர்பாகவும் ஓரளவு எதிர்க்குரல்கள் எழுத்தொடங்கிவிட்டன. அதேவேளை இலங்கை யர் மத்தியில் இம் மக்களின் எதிர்கால அரசியல் செல்வாக்கு பற்றிய பயமும் பரவலாகவே இடம்பெறத் தொடங்கிவிட்டது.

சுதந்திரத்தின் பின்

இலங்கைப் பாராளுமன்றத் தேர்தல் 1947 இல் முடிவடைந்து 1948 பெப்ரவரி 4 இல் சுதந்திரம் கிடைத்தது. எனினும், பெருந் தோட்டங்களின் இந்திய வம்சாவளித் தொழிலாளர் தொடர்பாக நடைபெற்ற இலங்கை இந்தியப் பேச்சுவார்த்தை நிறுத்தப்பட்டது. பதிலாக 1948 பிரசாவுரிமைச் சட்டம், 1949 இந்திய பாகிஸ்தானிய (வதிவோர்) பிரசாவுரிமை சட்டம் கொண்டு வரப்பட்டன. விளைவு இலங்கையையே தாயகமாக ஏற்றுக்கொண்டவர்கள் உள்ளிட்ட பலர் அடிப்படை அரசியல் உரிமையை இழந்தனர். இந்நாட்டில் நாடற்றவர்களாகப் புதிதாக ஒரு பிரிவினர் உருவாக்கப்பட்டனர்.

இலங்கை அரசியலில் குறிப்பாக மலையகப் பகுதிகளில் செல்வாக் குச் செலுத்தியவர்கள் அதே காரணத்தால் அரசியலில் அனாதை களாக்கப்பட்டனர்.

சமூக, பொருளாதாரரீதியாக இலங்கை ஒரு நலன்புரி நாடாக அடுத்த நான்கு தசாப்தங்களில் மாறியபோதிலும் அதன் தாக்கம் எந்த வகையிலும் பெருந்தோட்ட சமூகத்தில் ஏற்பட்டதாகத் தெரி யவில்லை. வதிவிடம், சுகாதாரவசதி முறைமை, கல்வி போன்ற வை தோட்டத்தன்மைவாய்ந்தவையாக பிழைப்பு மட்டத்திற் கேற்பவே வழங்கப்பட்டன. எனினும் தொழிலுறவில் முக்கிய இடம் பிடித்தவையும் இவையேயாகும்.

அடிப்படை மனித உரிமைகள் பற்றிய எண்ணம் இன்று கூட எவ்வளவுதூரம் இம்மக்களிடம் இருக்கின்றது என்பது ஒரு கேள்விக்குரிய அம்சமாகும். அடிப்படை உரிமைகளை வென்றெடுப்பது பற்றிய விவகாரங்களில் கூட தொழிற்சங்கங்கள் ஈடுபடமுடியாத நிலையில் அன்றாட விவகாரங்களிலே மூழ்கிப்போயிருந்தன/ இருக்கின்றன.

சுதந்திரத்திற்கு முன்பு தொழிலாளர்களுக்கு வழங்கப்பட்டு வந்த வசதிகள், உணவு விநியோகம் மற்றும் வீடு தொடர்பான பிரச்சினைகளும் இடைநிர்வாக தொழிலாளர் தகராறுகளுமே பெரும் பாலான தொழிற்சங்க நடவடிக்கைகளுக்குக் காரணமாயின. இதற்குக் காரணம் இவ்வசதிகள் படிப்படியாக குறைக்கப்பட்டதோடு முன்பு வழங்கப்பட்டவசதிகள் பழமையடையத் தொடங்கியது மேயாகும் எனலாம்.

சுதந்திரத்தின்பின் இலங்கைதொழிற்சங்கங்கள் பெரும் போராட்டங்களை எல்லாம் நடத்தியபோதிலும் இலங்கையின் முக்கியமான தோட்டத்துறையில் ஒரு பெரும் தொழிலாளர் வர்க்கம் இருந்தது எவர்மனத்திலும்பட்டதுபோல் தெரியவில்லை. இவர் களுக்காகக் கடுமையாகக் குரல் கொடுத்த இடதுசாரித் தொழிற்சங்கங்களும் கூட தோட்டத் தொழிலாளர்களை மறந்துவிட்டன. இதற்கு சிறந்த உதாரணம்:- 1953 இல் நடைபெற்ற வரலாற்று முக்கியத்துவமிக்க உறர்த்தாலாகும். இதேபோல் பிரசாவுரிமை பறிக்கப்பட்டதால் மேற்கொள்ளப்பட்ட சத்தியாக்கிரகத்திற்கும் பெருமளவு ஆதரவு வழங்கப்படாமையும் அதேபோல் எவ்வித தாக்கமான தொழிற்சங்க நடவடிக்கையும் எடுக்காமையுமாகும்.

இதன் பின்னைய தோட்டத்துறைத் தொழிற்சங்க நடவடிக்கைகள் ஏற்கனவே, குறிப்பிட்ட விவகாரங்களோடு மட்டுப்பட்டதாக தனித் துவமான ஒரு விவகாரமாக 1980 வரை இடம்பெற்றமையும் முக்கியமான ஒரு போக்காகும். இதற்கிடையில் 1964 ஆம் ஆண்டின் ஸ்ரீமா சாஸ்திரி ஒப்பந்தம் 1974 ஆம் ஆண்டின் ஸ்ரீமா இந்திரா ஒப்பந்தம், 1980, 1988 பிரசாவுரிமைச் சட்டங்கள் என்பன தோட்டத்துறை மக்களின் அரசியல் நிலைமையில் மாற்றமேற்படுத்தியமையால் தொழிலுறவு தொழிற்சங்க நடவடிக்கைகளிலும் வித்தியாசமான போக்கு ஏற்படத் தொடங்கியது.

அரசியல் ரீதியான உரிமை பெற்ற தொழிலாளரின் வாக்குகளைப் பெற தேசியகட்சிகள் அக்கறை காட்டத்தொடங்கின. அதேபோல் வடகிழக்கு யுத்தமும் மலையகம் தொடர்பான அணுகு

முறையை மாற்றியது. சில உரிமைகள் அரசாங்கத்தால் வழங்கப் பட்டன. தொழிற்சங்கங்கள் அரசியல் ரீதியாக செல்வாக்கு செலுத்தக்கூடியதாயிருந்தது.

கிராமிய தொழிலாளர் வருகை

இதேவேளை தொழிலுறவு அம்சத்தில் ஒரு வேறுபாடான அம்சத் தை தோட்ட தேசியமயத்தோடு பார்க்கலாம். பல கிராமிய மக்களும் தொழிலாளர்களாகப் பதிவுசெய்தனர். மரபுவழி தொழிற்சங்கங்கள் தவிர்ந்த சங்கங்களும் பலம்பெறத்தொடங்கின. கிராமத்தைச் சார்ந்தோரும் தலைமைப் பதவிகளை தோட்டங்களில் பெற்றனர். எனவே, தோட்ட நிர்வாகப் போக்கு மாறலாயிற்று. ஆனால் இது தொழிலாளர்களிடையே இனவாதப் போக்கான அணுகுமுறையை நிர்வாகம் ஏற்படுத்தவும் தூண்டியது. தொழிற்சங்க நடவடிக்கைகள் குறிப்பாக வதிவிடத் தொழிலாளர் தமது நலன்கள் தொடர்பான கோரிக்கைகளை முன்வைக்கும் போது, அவற்றால் பயனடையாத கிராமியத் தொழிலாளர்களை தோட்ட நிர்வாகங்கள் தமக்குச் சாதகமாகப்பாவிக்கத் தொடங்கின. இவ்வாறான நடவடிக்கைகள் தொழிலாளரிடையே காணப்படும் வர்க்க உணர்வுக்குப் பதிலாக இன உணர்விற்கு அடிப்படையாக அமைந்தது எனலாம். எவ்வாறானபோதிலும், சிங்கள, தமிழ் தொழிலாளர்கள் இணைவானது நிச்சயமாக நிர்வாகிகளின் மனப்பான்மையில் மாற்றத்தை ஏற்படுத்தியமை கவனிக்கவேண்டிய ஒன்றாகும்.

தேசியமயமும் தொழிற்சங்கங்களும்

தோட்ட தேசியமயமானது பல கசப்பான வடுக்களை ஒரு காலத்திலும் மறையாத வகையில் இலங்கைத் தோட்ட வரலாற்றில் விட்டுச் சென்றபோதிலும் பல முற்போக்கான தொழிற்சட்டங்கள் இக்காலத்தில் ஆக்கப்பட்டமையும் குறிப்பிடப்படவேண்டிய ஒன்றாகும்.

1970 ஆம் ஆண்டிற்கு முன் வெளியார் தோட்டங்களுக்குள் வருவது சட்டரீதியான குற்றமாகும். 1970 ஆம் ஆண்டின் தொழிற் சங்கப் பிரதிநிதிகள் தோட்டங்களுக்குள் பிரவேசிக்கும் சட்டம் இக்குறைபாட்டை நீக்கியது. இதே போல தொழிலாளர் வேலைநீக்க (விசேட) சட்டமானது தொழிலாளர்களை ஒழுக்கம் தொடர்பான விடயம் தவிர தொழில் ஆணையாளரின் உத்தரவின் படியில்லாமல் வேலைநீக்கமுடியாது எனக்கூறுகின்றது. இதே போன்று, தொழிலாளர் வசிப்பிட (விசேட சரத்து) சட்டம்,

ஊழியர் நம்பிக்கைநிதிச்சட்டம், சேவைகாலப் பணம் வழங்கும் சட்டம் போன்ற சட்டங்கள் உருவாக்கப்பட்டதோடு, தொழிலாளர் நட்புசட்டுச் சட்டம், போன்றவற்றில் முக்கியமான திருத்தங்களும் மேற்கொள்ளப்பட்டன. இச்சட்டங்கள் தோட்டத் தொழிலாளர்களுக்கு நன்மையளிப்பனவாக அமைந்தன.

அதேபோல் அரசாங்கம் பெருந்தோட்டங்களை நிர்வகித்தமையால் தொழிலாளர் நேரடியாக நிர்வாகத்தோடு தொடர்புகொள்ளக்கூடிய ஒரு நிலையும் இருந்தது. தொழிலாளர் பல சலுகைகளைப் பெற்றனர். இதற்கு முன்னிருந்த, தொழிற்சங்க நடவடிக்கை தொடர்பான கடும்போக்கு படிப்படியாக மாறியது. சமூகமான கலந்துரையாடல் மூலமான தொழிற் பிரச்சனைத் தீர்வு இக்காலத்தில் ஏற்பட்டமையும் முக்கியமான ஒரு பண்பாகும்.

நிலப்பிரபுத்துவ கிராமியத்தவர்களின் நிர்வாகத்திற்கான வருகை

பெருந்தோட்டங்களின் ஆரம்பம் உள்ளூர் நிலப்பிரபுக்களின் நிலப்பறிப்போடு ஏற்பட்டது என்பதை நாம் ஆரம்பத்தில் பார்த்தோம். இதனால், அந்நிலங்களில் வாழும் தொழிலாளர் மீதான வெறுப்பும் ஏற்பட்டது. இவ்வாறு நிலங்களை இழந்த பிரபுக்களின் நிர்வாகத்திற்கான வருகை, பிரித்தானியர் இலங்கையை விட்டுப் போகத் தொடங்கியதோடு ஆரம்பமாகியது. பெரிய பாடசாலைகளில் கல்விக்கற்றவர்கள் தோட்ட நிர்வாகிகளாக மாறியமை மறைமுகமாக தமது பாரம்பரிய அதிகாரத்தைப் பெற்றமையை எடுத்துக் காட்டியது.

இதேவேளை 1972 நிலச்சீர்திருத்தமானது கிராம மக்கள் ஆவேசத்தோடு இருந்த நிலையை எடுத்துக் காட்டியது. பல தனியாருக்கு சொந்தமான தோட்டங்கள் ஆக்கிரமிக்கப்பட்டன. பல தொழிலாளர்களும் சேவையாளர்களும் துரத்தப்பட்டனர். அரசியல்வாதிகளின் ஆதரவு பெற்றோர் நிர்வாக அதிகாரத்தைக் கைப்பற்றினர். இந்நடவடிக்கையும் கூட ஒரு வகையில் பிற்போக்குத் தன்மான மானியமுறை தொழிலுறவு தன்மையைக் கொண்டதே எனலாம். இக்காலப்பகுதியில் மலையக அரசியல் வாதிகளால் குறிப்பாக இடதுசாரிகளால் கூட இது தொடர்பாக ஒன்றும் செய்ய-முடியாமல் போனது குறிப்பாக கூறவேண்டியதாகும். பிற்காலத்தில் சமூகமான தொழிலுறவு சில இடங்களில் ஏற்படவும் இவர்களில் சிலர் காரணமாக இருந்துள்ளமையையும் மறக்க முடியாது.

பெருந்தோட்ட மக்களின் பின்னணியைப்பற்றி கிராமத்தவர் வித்தியாசமான மனப்பான்மையை கொண்டிருப்பது முற்றாக மாறவில்லை. பெருந்தோட்டங்கள் தமக்கு உரியவை, அவற்றை எப்போதும் தமக்குக்கீழ் கொண்டுவரலாம் என்ற எண்ணத்துடன் 1994 தேர்தலின் பின்பு மேற்கொள்ளப்படும் நடவடிக்கைகள் மீண்டும் ஒருவித பயநிலையை உருவாக்கியுள்ளது.

தனியார்மயத்தின் பின்

சர்வதேச பொருளாதார முறையில் ஏற்பட்ட தாக்கங்களின் விளைவுகள் இலங்கையிலும் பிரதிபலிக்காமலில்லை. 1970 களின் பின் ஏற்பட்ட அரசமய நடவடிக்கைகளின் பெறுபேறு பிற்காலத்தில் அப்பொருளாதார முயற்சிகளில் சில எதிர்விளைவுகளை ஏற்படுத்தியபோதிலும் அவற்றால் ஏற்பட்ட சமூகநலன்கள் அதிகமானவையாகும்.

1970 களில் ஏற்படுத்தப்பட்ட பெருந்தோட்டங்களின் தேசிய மயமானது ஆரம்பத்தில் மேற்சொன்னப்பட்ட சீர்கேடான முறைகளால் தொழிலாளர்களின் அலைக்கழிப்பிற்கு காரணமானது. எனினும், பிற்காலத்தில் ஒழுங்குபடுத்தப்பட்ட முகாமையின் கீழ் ஓரளவு சிறப்பான தொழிலுரிமைகளை வழங்கி சுமுகநிலை நிலவக் காரணமாயிற்று.

எனினும், பொருளாதார ரீதியாக இத்தோட்டங்கள் நட்டமடையத் தொடங்கின. முகாமைச் சீர்கேடே இதற்குப் பிரதான காரணமாயிற்று. அரசாங்கம் தொடர்ந்தும் இப்பெரும் தொழில் முயற்சியை இழுத்துச் செல்ல முடியாத நிலையில் இருந்த அதேவேளை, இது கைவிடப்படவும் முடியாத பொருளாதார அவசியத்துறையாகவும் இருந்தது. இதேவேளை சர்வதேச ரீதியில் “கட்டமைப்பு சீர்செய்கைகள்” அறிமுகப்படுத்தப்பட்டன. இதன் விளைவாக நட்டத்தில் இயங்கியதாகக் கூறப்பட்ட பெருந்தோட்டங்கள் முகாமைத்துவத்திற்காக 23 தனியார் கம்பனிகளிடம் ஒப்படைக்கப்பட்டன. ஏனைய அரசு துறைத் தொழில் முயற்சிகள் சீர்செய்யப்பட்ட போது பங்குகள் விற்பனை செய்யப்பட்டதோடு ஊழியர்களுக்கும் கொடுக்கப்பட்டன. எனினும், இலங்கையின் அரசியலில் மலையக நிலம் அதாவது தோட்டங்கள் அமைந்துள்ள நிலங்கள் சிங்கள மக்களின் பாரம்பரிய நிலம் அவை தனியாருக்கு கொடுக்கப்படக்கூடாது என்ற கோரிக்கைகள் அரசியல்வாதிகளாலும் பௌத்தமதகுருமார்களாலும் முன் வைக்

கப்பட்டதால், அவசரஅவசரமாக, தோட்டங்களின் முகாமை கம்பனிகளிடம் ஒப்படைக்கப்பட்டன. பங்குகள் விற்பனை செய்யப்படவில்லை.

மறுசீரமைப்பில், முகாமைத்துவம் மாறும்போது அது தொடர்பான ஏற்பாடுகள் தெளிவாக செய்யப்பட்டிருந்தால்தான் எதிர்காலத்தில் சிக்கலற்றதாய் அவ்வமைப்பு இயங்கலாம். பெருந்தோட்டங்கள் பெருமளவான தொழிலாளர்களை கொண்டுள்ளன. இத்தொழிலாளர்களின் முழுமையான வாழ்வும் தோட்டங்களிலேயே தங்கியுள்ளது. எனினும், தோட்ட கைமாற்றங்கள் இங்குள்ள மக்களைப் பற்றி அலட்டிக் கொள்ளாமல் வெறுமனே நிலமும், பொருட்களும், பற்றியதாகவே அமைந்துவிட்டன. இது தொடர்பாக சில தொழிற்சங்கங்கள் முழுமையாக அறிந்திருந்தன. இவர்கள் பூரணமான ஆதரவை முகாமை மாற்றத்திற்கு வழங்கியபோது எதிர்காலம் சிறப்பாக இருக்கும் என்ற வாக்குறுதிகள் வழங்கப்பட்டிருந்த தோடு புரிந்துணர்வுடன் கூடிய ஒப்பந்தங்களும் கூட இவர்களால் மேற்கொள்ளப்பட்டன. எனினும், சட்டரீதியான ஏற்பாடுகள் எதுவும் செய்யப்படவில்லை.

இவ்வாறான திடீர் ஏற்பாடுகள் காரணமாகவும் கம்பனிகள் பெருந்தோட்டங்களை பொறுப்பேற்றமை குறிப்பிட்ட ஒரு காலப்பகுதிக்கு மாத்திரமே என்பதாலும் மீண்டும் அவர்களுக்கு அம்முகாமை கிடைக்குமா என்ற சந்தேகத்தால் அக்குறுகிய காலப் பகுதிக்கேற்பவே திட்டங்களை ஆக்கி அமுலாக்கியமையும் மிகவும் முக்கியமான அம்சமாகும். இது மாத்திரமன்றி இலங்கை முதலாளித்துவம் அல்லது தாராண்மைவாதக் கோட்பாட்டைக் கடைப்பிடிக்கும் நிறுவனங்கள் நவீன சர்வதேச தாராண்மைவாதத் தன்மைகளைப் பற்றிய அம்சங்களை உள்ளேற்றவை அல்லாத பழமைவாதத்தன்மைமிக்கவையாகும்.

பழமை முகாமைத்துவ முறைமையும் மனப்பான்மையும்

இம்முகாமைத்துவக் கம்பனிகள் பெரும் தோட்டங்களில் கடைப்பிடிக்கும் முகாமைத்துவ முறைமை பழமை மனப்பான்மையைக் கொண்டவையாகும். மூன்று நான்கு தசாப்தங்களுக்கு முன் பெரும் தோட்டங்களில் தொழிலாளர் இருந்த நிலைமை, அவர்கள் கொண்டிருந்த மனப்பான்மை என்பவற்றை தற்போதும் மனதில் கொண்டு, முகாமைத்துவத்தை நடாத்த முற்பட்டமை பிரச்சினைகளைத் தோற்று வித்தது.

தோட்டத் தொழிலாளரும் ஏனைய தொழிலாளரிலும் நாட்டிலும் ஏற்பட்ட மாற்றங்களால் பாதிக்கப்பட்டனர். 1970—90 காலத்தில் ஏற்பட்ட மாற்றங்களினால் அரசமயத்தோட்டங்களில் கௌரவத்தைப் பெற்று, நம்பிக்கையுடன் தமது தொழிலுறவு நடவடிக்கைகளை மேற்கொண்டிருந்தனர். தொழிலாளர் சமூகத்தினரிடையே ஏற்பட்ட விழிப்புணர்வு, தொண்டர் நிறுவன நடவடிக்கைகள், கல்வியிலேற்பட்ட ஆர்வம் காரணமாக ஏற்பட்ட மாற்றங்கள் என்பன ஓரளவிற்கேனும் இவர்களிடையே முற்போக்கான மாற்றங்களை ஏற்படுத்தி இருந்தமை, முகாமைத்துவ கம்பனிகளின் உயர் தோட்ட அலுவலர்களால் அவதானித்திற்கெடுக்கப்படாமல் போயிற்று.

பெருந்தோட்டத்துறை தொழிற் சங்கங்கள் அன்றாடப் பிரச்சினைகளிலேயே முழுகிப்போவன. இதனால் இவை முதிர்ச்சியுற்ற தொழிற்சங்கப் பண்புகளைக் கொண்டவையாகக் கருதப்படமுடியாமலுள்ளன.

மேலும் சுமார் 20 வருடகாலமாக தோட்டத்துறை தொழிலுறவுத் தன்மையானது பகைமையற்றதான அரசியல் செல்வாக்கால் தீர்க்கப்படக் கூடியதான முரண்பாடுகள் அற்ற ஒரு தன்மையானதாக இருந்தது, எனவே, பொதுவாகக் கூறப்போனால் இக்காலகட்ட தொழிற்சங்க நடவடிக்கைகள் தனியாருடனான சக்தியிக்கு தொழிற்சங்க நடவடிக்கைகளை தீவிரமாகக் கொண்டிராத காலமாகும்.

ஆகவே, திமரென 23 கம்பனிகள் தோட்டங்களில் பல்வேறு விதமான புதிய அணுகுமுறைகளை முகாமைத்துவத்தில் கடைப்பிடிக்க முற்பட்டமை குழப்பமேற்படுத்தக் காரணமாகியது. தொழிற்சங்க தலைமைப்பீடம் தவிர்ந்த அடிமட்டத் தொழிற்சங்க குழுவினர் தொழிற்சங்க நடைமுறைகள், தொழிற்சட்ட விதிமுறைகளைப் பற்றி கூடிய பரிச்சயம் அற்றவர்களானதால் முகாமையுடனான தொழிலுறவில் சிக்கல்கள் ஏற்பட்டன.

தனியாரிடம் தோட்டங்கள் ஒப்படைக்கப்பட்டமைக்கு காரணம் நட்டமடைதல் என்ற வாதம் முக்கியமாக முன்வைக்கப்பட்டிருந்தமையால், நட்டத்தை ஈடுசெய்யக்கூடியதாக நிர்வாகங்களின் நடவடிக்கைகள் அமைந்திருந்தன. புதிய வேலை நிபந்தனைகள், வழமைகளை மாற்றியமை, அதிகரித்த வேலைப்பளு, நலன்புரிச் சேவைகள் இடைநிறுத்தம்; (உதாரணம் மருத்துவ சேவைகளை

பல தோட்டங்களுடன் ஒன்றிணைத்தமை போன்றவை.) தேயிலைக்குப்பதில் குறுங்கால மாற்றுப்பயிர்செய்கை என்பன தொழிலாளரை பீதியுறச் செய்தன. அத்தோடு, தொழிலாளர், தோட்டநிர்வாக உத்தியோகத்தர் இடமாற்றம், குறைந்த வயதில் இளைப்பாறச் செய்தல், கொடுப்பனவுகள் வழங்காமை என்பனவும் பெரும் பிரச்சினைகளாக உருவெடுத்தன. இவற்றால் வேலைநாள் குறைக்கப்பட்டதோடு குத்தகைக்கு வேலைகள் வழங்கப்பட்டமையும் தொழிலாளர்களை ஆத்திரமூட்டின.

தொழிற்சங்கங்களில் நம்பிக்கை இழப்பு

மேற்கூறிய காரணங்களால் ஆத்திரமுற்ற தொழிலாளர் தாமே சுயமாக இயங்கத் தொடங்கினர். தொழிற்சங்கங்களில் இவர்கள் நம்பிக்கை இழந்தது போல உணரக்கூடியதாயிருந்தது. சில சமயங்களில் தொழிற்சங்கத் தலைவர்களும் கூட முகாமையாளர்களுடன் ஒன்றிணைந்து செயற்பட்டதாகக் கருதப்பட்டதால் தொழிலாளர்கள்தாமே நேரடி நடவடிக்கையிலீடுபட்டனர்.

மரபுவழியான பேச்சுவார்த்தை, வேலைநிறுத்தம், தொழிற் திணைக்கள மத்தியஸ்தம், தொழில்மன்றுத்தீர்வு போன்ற நடைமுறைகளுக்குப் பதிலாக பெருந்தோட்ட நிர்வாகிகளை “கேரோ” என்ற முறையில் பணயக்கைதிகளாக வைத்து கோரிக்கைகளை நிறைவேற்றக் கேட்டு பல தோட்டங்களில் தொழிலாளர்கள் நேரடி நடவடிக்கைகளில் ஈடுபட்டனர். இதில் பெண்களும் தீவிரமாக ஈடுபட்டமை குறிப்பிடத்தக்க அம்சமாகும். கெர்க்ஸ்வோல்ட், மொக்கா, வெனிஷா தோட்டங்களில் நடந்த சம்பவங்கள் இதற்கு சிறந்த உதாரணங்களாகும்.

இவ்வாறு ஒருபுறம் தொழிற்சங்கங்களுக்கு மேலாக தீவிர நடவடிக்கையிலீடுபட, அரசியல் ரீதியான விழிப்புணர்ச்சியும் இலங்கையின் ஏனைய பகுதிகளில் தொழிற்பிணக்குகளை தொழிலாளர்கள் திர்த்துக்கொள்ள கையாண்ட விதமும் பெருந்தோட்டத் தொழிலாளர்களையும் அவ்வாறு செய்யத்தூண்டின வெளிணும், இச் செயல்களுக்கு தீவிரவாதச்சக்திகள்தான் காரணம் என்றும் கூறப்பட்டது.

இவ்வாறான ஒரு நிலை ஏற்பட்டிருப்பது பற்றி பல்வேறு விதமான அர்த்தங்கள் கொடுக்கப்பட்டபோதிலும் தொழிலாளர் நிர்வாகத் தினரிடையே தொழிற்பிணக்குகள் தொடர்பாக சிக்கல்கள் பெருகி வழமையான தொழிலுறவு முறைமையில் பாதிப்பு ஏற்பட்டுள்ளமை ஆரோக்கியமான ஒரு அம்சம் அல்ல.

எனவே, இன்று தொழில் உறவினை மேம்படுத்துவதற்கான நடவடிக்கைகளை உடனடியாக மேற்கொள்ள வேண்டிய தேவை எழுந்துள்ளது. தோட்டத்துறையில் தொழிற் சங்க நடவடிக்கைகளுக்கு மதிப்பளிக்கப்பட்டு தொழிற்பிணக்குகள், மனக்குறைகள் போன்றவற்றை தீர்ப்புதற்கான வழிவகைகள் உருவாக்கப்படல் அவசியமாகும். காலம்காலமாக இருந்துவரும் எண்ணமான தொழிலாளர் நிர்வாகத்தின் எதிரி நிர்வாகம் தொழிலாளரின் எதிரி என்பதே தொழிற்சங்க பிரச்சினைகளை உருவாக்குவன. தலைவர்கள் வேண்டப்படாதவர்கள் என்ற மனப்பான்மை மாற்றப்படல் அவசியம். நிறுவனம் ஒன்றின் இயக்கத்திற்கும் நிலைவிருத்திக்கும் (Sustainable Development) முதலீட்டாளர்களும் உழைப்பாளரும் இரு சக்கரங்கள் போன்றவர்கள் என்றகருத்து ஏற்றுக் கொள்ளப்படல் அவசியமாகும்.

கொள்கைகளை தீர்மானித்து நடைமுறைப்படுத்த வழியேற்படுத்திக் கொடுப்பது அரசாங்கமாகும். அதன் அபிவிருத்தி நோக்கம் றிறைவேறு குறிப்பிட்ட பங்காளர்களை சரியான வழியில் வழிநடத்துவது அதன் கடமையாகும். இவ்வகையில் தொழில் நிறுவனங்களில் சுழுமமான தொழில் உறவு நிலவவேண்டும். அப்போதே தொழில் அமைதி நிலவும், இந்நிலை ஏற்பட சம்பந்தப்பட்டவர்கள் பொதுக்குறிக்கோளை அடைய தம்மிடையே இணக்கப்பாட்டை ஏற்படுத்திக் கொள்ளவேண்டும். அதற்கு ஒரு முத்தரப்பு, முக்கட்டு கலந்துரையாடல் நிச்சயம் வழிவகுக்கும். இது பல்வேறுபட்ட பிணக்குகளுக்கும், எதிர்கொள்ளக்கூடியதாயுள்ள எதிர்கால சச்சரவுகளுக்கும் தன்னிச்சையான தீர்வை ஏற்படுத்தக் கூடிய கூட்டு ஒப்பந்தம் ஒன்றிற்கு வழிவகுக்கும். அதற்கான ஏற்பாடுகள் அவசியம். இல்லாவிடின் சனநாயக ரீதியற்ற வழிமுறைகளுக்கு சம்பந்தப்பட்டவர்கள் தள்ளப்படுவது தவிர்க்க முடியாத ஒன்றாகலாம். இது நாட்டின் அபிவிருத்திக்கு பெரும் பாதகமாக அமையும்,

AN OVERVIEW OF ILO'S CONTRIBUTION TO WORKERS EDUCATION ACTIVITIES IN THE ASIAN REGION AND SRI LANKA IN PARTICULAR

By

V. MOROZOV

Director

ILO Area Office, Colombo.

It gives me great pleasure to convey greetings of the ILO to the Worker Educators' Association of Sri Lanka (WEAL) for its efforts to commemorate the 100 years of trade unionism in Sri Lanka.

In responding to a request from WEAL, I wish to provide an overview of the ILO's contribution towards workers activities in the Asian region in general and Sri Lanka in particular.

The Asian region present a complex economic and social mosaic. This is reflected in the variety of issues facing unions in Sri Lanka as well as in most countries in different parts of the region. One common denominator, however, is the effects on labour of structural changes; and a priority concern is union response to structural adjustment programmes. Consequent to a request from the Worker Educators' Association of Sri Lanka (WEAL), the ILO provided assistance to conduct a seminar on "Social economic development of the plantation workers," 19-23 February 1992. The changing nature of industrial relations in Sri Lanka required trade unions to protect basic labour rights, at the same time they adapt their approaches to new circumstances.

The Workers' Activities Programme of the ILO has three main aims :

- * To encourage the on-going organisation of workers, at the same time assisting trade unions with organisational improvements and with the expansion of their membership and range of activities.

- * To ensure that ILO programme recognise and address the priority problems of workers and their organisations ;
and
- * To encourage workers and their organisations to maintain and develop relations with other workers' organisations and the ILO.

Accordingly, areas such as trade union and international labour standards, mobilisation of women into trade unions, strengthening and development of rural workers' organisations, occupational safety and health, and improvements to workers' education structure—all continued to be priorities in the ILO's assistance programme concerning Sri Lanka. Increased attention by the ILO was also given to requests from WEAL as well as other recognised trade unions in Sri Lanka for assistance on economic issues such as structural adjustment, productivity, new forms of wage determination, and trade union inputs in tripartite consultations on economic and social issues.

Workers' Education—At the national level, the ILO extended assistance with workers' education in the form of seminars, publications and fellowships, as well as in the provision of experts and equipment to trade union organisations.

The inter-regional project on advanced trade union training was completed and finalised its activities in the areas of economics for trade unionists, and mobilisation of women, trade union management, socio-economic ventures, and trade union training methodology. Another inter-regional project on trade unions and the environment also concluded its work.

A sub-regional project for south-east Asia encouraged women workers in selected industries to take a more active role in union organisation.

Women Workers—With funding from the Finnish International Development Agency (FINNIDA), another ILO project encouraged women workers from Malaysia, the Philippines and Thailand to join trade unions and to take a more active role in organisation.

The ILO has also encouraged female trade unionists to integrate issues of concern to women into mainstream union educational activities.

Rural Workers' Organisations

With contemporary economic restructuring and political change, rural workers' organisations face new challenges, aiming to provide better services to their members and strengthen their organisations. Similarly, plantation workers' organisations need to cope with structural adjustment policy issues such as privatisation/peoplisation and the introduction of new technology with emphasis on increased productivity and diversification of plantation crops. The ILO implemented activities and programmes to address these issues at the local, national and regional levels.

Educational projects strengthened rural workers' organisations while increasing participation in trade union movement. Rural women in particular were awakened to their rights, under the second phase of ILO-DANIDA-IFPAAW project (Danish International Development Agency-International Federation of Plantation, Agricultural and Allied Workers), and encouraged to assume positions of leadership in rural workers' organisations. Increased emphasis was given to promoting an awareness and better understanding of the relevant ILO Conventions. Seminars at the national and regional levels reviewed the impact and implications of the ILO Conventions concerning Rural Workers' Organisations, 1975 (No. 141), and concerning Plantations, 1958 (No. 110).

The ILO assisted rural workers' organisations with the dissemination of information through the workers' education manual and basic instruction aids, as well as through other publications. The programme also provided small-scale equipment to help these organisations administer their own workers' education schemes.

100 YEARS OF TRADE UNIONISM IN SRI LANKA

By

S. THONDAMAN

President

Ceylon Workers' Congress

The Worker Educators' Association of Sri Lanka must be congratulated for the efforts it had taken to bring out a commemorative publication to mark 100 years of Trade Unionism in Sri Lanka.

The year 1994 has seen many milestones being reached by organisations having a nexus with the World of Labour.

1994 saw the worldwide celebrations to commemorate the 75th Anniversary of the International Labour Organisation and the Anniversary of the Declaration of Philadelphia, which in fact is a precursor to the Universal Declaration of Human Rights.

Thus, the Trade Union Movement in Sri Lanka can take considerable pride in predating such global edifices as the ILO in serving the wage earners of the country and shielding them from exploitation.

The first recorded Workers' Organisation was in the Caves & Company Printing Press, where the workers staged a stoppage of work in the furtherance of demands for better wages and working conditions. The strike was organised by the President of the Workers' Organisation, Mr. A. E. Bultjens.

However, the Union Movement to receive legal personality and to be immune from tort had to await the promulgation of the Trade Union Ordinance in 1935. It is not out of place to mention here that the Trade Union Ordinance, the Wages Board Ordinance and the Workmen's Compensation Ordinance were authored by the late Peri Sundaram who was the Founder President of the

Ceylon Workers' Congress (then the Ceylon Indian Congress Labour Union) when he was Minister of Labour when the country was under British Administration. There were of course epic struggles in order to obtain better terms and conditions of employment to categories of workers and the name that has been prominently recorded is that A. E. Gunasinghe who was to play a major role in the political and social scene in the country and personalities such as Natesa Iyar, Peri Sundaram, Savmiyamoorthy Thondaman, F. X. Perera, Motha, Abdul Aziz and others in the plantation sector.

A common factor that characterised the workers' movement in Sri Lanka was its links with political parties which perhaps explains the flow and ebb of its fortunes in respect of membership strength. This also explains the more permanent stature of the CWC, which is not appended to any political party.

The advent of the Ceylon Workers' Congress (CWC) in 1940 could be described as a watershed in the lives of the plantation workers. The CWC had established industrial and legal norms that has had a bearing on the terms and conditions of labour in all sectors of employment in Sri Lanka.

The CWC was instrumental in establishing an industrial relations system on the plantations based on the grievance register system in the industrial countries. The CWC modified this system by way of a "Minutes Books" that would be submitted to the Estate Manager setting out the grievances that the workers need resolution in their day to day work life. The Minutes Book automatically implanted the idea of collective responsibility amongst the Union membership and acted as a training ground for Union democracy at the work place. The Minutes Book in fact became the spring board for launching norms of employer interaction that had succeeded in regulating—

- (a) union recognition ;
- (b) work norms ;
- (c) working time ;
- (d) social interests ;
- (e) religious aspects ; and
- (f) linkages with all levels of management and union hierarchy.

These norms did not come out of a vacuum. They came out long drawn out industrial action, Industrial Court adjudication and other types of campaigns.

The first ever Collective Agreement in the Plantation Sector was concluded between the Ceylon Estates Employers' Federation and the Ceylon Workers' Congress in 1967. It was this agreement that first introduced the system of the collection of union dues by the employer on behalf of the union members and remitting them to the Union Headquarters. This system is known as "voluntary check off". Check off has today become an accepted part of Union Organisation, but very few realise how it came about and who was responsible for the introduction of this system.

It must be stated that the Ceylon Workers' Congress was among the first organisations of workers to establish International Trade Union links and were among the founder members of the Asian Regional Organisation of the ICFTU and of the ICFTU itself.

Closer home, the CWC was in the forefront to create a regional trade union body in the SAARC countries - the South Asian, Regional Trade Union Council as a Workers' Counterpart Organisation to SAARC.

Having represented the workers of Sri Lanka at the International Labour Conference from 1955 onwards, I had the privilege of obtaining exposure to International Labour Standards and other innovations in respect of labour management relations which I had sought to modify and introduce to the labour management spectrum in Sri Lanka.

Thus, it was the Ceylon Workers' Congress that pioneered workers' education in the country for which we were assisted by the ILO in 1966. The late Mr. S. Selliah was the first Director of the CWC Workers' Education Department. The CWC which had its genesis in 1940, created also a Special Committee for women workers and a section dealing with youth. These ideas have

gained currency world over only during the last 10 years or so, whereas the CWC foresaw the need for the creation of such structures 55 years ago.

We were also actively involved in setting up a FES presence in Sri Lanka and the formation of Sri Lanka Foundation Institute.

There was a time when the CWC was ignored by a hostile Government in selecting the Workers' Delegate to the International Labour Conference. This same hostility set up road blocks regarding assistance to workers' education development coming to the CWC from the ILO. We were able to reverse these developments in respect of nomination, at the Credentials Committee of the ILO and obtained the principle that the Government must nominate as Worker Delegate from a Trade Union Organisation based on its numerical strength and representative capacity.

The CWC was able to make out a case to the ILO that assistance to workers' education development programmes should not be made available through Governmental sources only but that the Education Division of the ILO could have direct links with representative trade union not only with regard to workers' education programmes but also nominations to International Labour related conferences, seminars, symposia and workshops.

Any student of the development of industrial relations in the Plantation Sector will come across the fact that all wage increases, industrial practices as well as the recognition by the employer of his obligation to pay retiring gratuity were established by the CWC. We have also been instrumental in innovating a claim for the payment of a percentage of the selling price of a plantation when it changed hands and the contractual obligation on the seller and the buyer for continuity of employment of the workers on terms and conditions no less favourable than that existed. It was the effort of the CWC that resulted in the equalisation of wages on the plantations.

This was achieved through a novel form of protest that lasted for 10 days. It took the form of a Prayer Campaign thus not falling foul of Emergency Regulations. It must be remembered all this time the writer was a Cabinet Minister in the Government.

The CWC had been for a considerable length of time agitating that the captive labour situation of the workers eliminated with the separation of their living quarters from the administration of the plantation.

The CWC saw the handing over of the management of the plantations to Private Management Companies as an opportunity to push through this idea of home ownership by the plantation workers. This idea has now come into fruition and the living quarters of the workers and their cultivation plots are to be vested in the occupants themselves.

So we look back to the 54 years of the CWC in the workers movement in the country and record with pride that our National and International stature had been able to be built up by the abiding faith that the vast membership of the CWC has continued to repose on us. It is this type of faith that has given us the innovative thinking power to end the state of statelessness from among the people of recent Indian Tamil origin and to develop the CWC as a political force of wideranging influence in its own right.

The only Union Organisation in the world that by itself has set up a Vocational Training Institute which is run on its own resources is the CWC. The cultural and educational needs of our membership is looked after by the Congress Labour Foundation and the Thondaman Foundation.

Our Community Development Projects have received International recognition. A case in point is St. Heliers Community Development Project at Watawala.

The Trade Union and Industrial Relation fabric of the country are inextricably interwoven with developments that have taken steps in the Plantation Sector *vis a vis* the crusades of the CWC. Hence the history of the Trade Union Movement and the history of the CWC, if one speaks of major developments, were glued together indivisably. The workers of Sri Lanka can walk with their head high because the percentage of union penetration in this country is above 40% and the percentage in the plantations is around 80%.

A VOICE FROM THE WILDERNESS

By

MAHENDRA DE ALWIS

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When we make a narration of the history of the Trade Union Movement in Sri Lanka, it is natural to make mention of the earliest landmark events such as **The Printing Workers' Strike in 1893, The Railway Workers' Strike in 1896, The Carters' Strike in 1906** and many others that could be said to have laid the foundation stones of the Trade Union Movement. These historical events, such as the setting up of the earliest of Trade Unions and other major happenings have been put down on record as significant events during the **Hundred Years of Trade Union Activity in Sri Lanka**.

However, sad to say, that, very little has been mentioned about the **Fallen Heros** of the past who gave their lives for the sake of justice, equity and fairplay, not only during the so-called "Colonial Rule" but also during later times. A sprinkling of such martyrs would be as follows :

1942 — Govindasamy

1947 — Kandasamy

1980 — Somapala

No doubt, these supreme sacrifices of the past, have in no small measure contributed towards the growth of the Trade Union Movement.

Speaking of the early days when the foreign rulers were sapping out the resources of this country, including the human resource, trade union activity was indeed taboo. The historians have put down about the manner in which successive foreign rulers, the Portuguese, the Dutch and finally the British, have made their stay in "**This Island, Fruitful and Fair**" (in the words of Robert Knox), profitable for themselves.

Needless to say how hard they treated the workers. The exploitation of labour was the order of the day. To illustrate, how trying it had been to organise trade union activity in the colonial days, it would be useful to make available, straight away, some extracts from the works of a past Trade Union Leader who has recorded some of the earliest events for posterity. The late Joel Timothy David, (born on 1st June, 1890), the Founder Secretary of the Govt. Surveyors' Association (founded in 1922), sent the following message on the occasion of its Golden Jubilee.

"When your Secretary was kind enough to inform me that your Association would be 50 years old this month and invited me to participate in its Golden Jubilee celebrations and to send you a message for the occasion I had the greatest pleasure in accepting the invitation. It was also a pleasant surprise to realise that half a century has actually passed since the founding of the Association - the 50 years, in retrospect at the age of 82, have been "like an evening gone".

I recall to mind that I had completed just 12 years service in the Survey Department in the year 1921 when I began to realise that exploitation of labour with its attendant evils of inadequate compensation and reward could exist unrecognised and side by side with glorified concepts of so-called Public Service ideals and traditions. If that were so, it was no doubt an insult to human dignity. The life of a field surveyor was very hard those days. In the solitude of long and weary evenings in almost pre-maeval living conditions I used to ponder the question whether the only reward for arduous and exacting toil in Government service was a pat on the back with a "Well done, thou faithful Public Servant!" I decided to ascertain whether my fellow surveyors were faced with similar problems. About that time I had heard of a very senior, highly efficient surveyor who, I thought, would be able to help me. He was the late Mr. J. E. Dias Wanigasekera. I contacted him and was agreeably surprised that he shared my opinion of the Service and was all for making further enquiries. Late in 1921, I sent out a circular to all the grade surveyors then in service scattered throughout the Island calling for their views.

The response was immediate and almost unanimous. Everyone supported the formation of a union "to promote and safeguard the interests of Surveyors."

On the other hand, the effect of these preliminary moves on the "management" was a sense of disquiet, outrage and shock and provoked a disturbed, reactionary response. "A Union in the Public Service! Unheard of!" At that time the "management" known as "Staff Officers" was composed almost entirely of British officers. There was a flutter in the administrative dove-cots. Inspecting officers, under instructions, tried to nip the movement in the bud. The surveyors were a scattered body and were handicapped in consulting each other. I recall an incident when the Superintendent of the province visited me on inspection duty. During the course of an examination of some survey plans the Superintendent suddenly said, "Mr. David, what is all this Union business? Whom are you uniting against?" I answered, "Sir, we are uniting against no one. We are only uniting ourselves together." The management tried hard to stem the momentum of the movement but could not prevail, with the result that a few months later the union was inaugurated. The word "union" was anathema to the management and in order to avoid unnecessary friction the word "association" was substituted as a sop to the powers-that-be. In this connection, I would be wanting in my attempt to give credit where it is due if I failed to mention two names of prominence, both Surveyors General, who understood what the Association stood for. They are Mr. A. G. H. Dawson and Mr. N. S. Perera. I was OA at the office in Diyatalawa during Mr. Dawson's tenure and found his liberal approach and humane understanding a source of great encouragement. He was considerate enough to allow us separate office space for the G.S.A. and to release me for almost full-time Association work. In the roll of colonial administrators, Mr. Dawson's name should surely have an honoured place. He was the Patron of the Association and gave freely of his advice and encouragement. Mr. N.S. Perera identified himself with the movement when he was a probationer starting life in the Department. He became the President of the Association and worked actively towards the furtherance of its objectives till the responsibilities of higher office claimed his full attention.

It is often difficult to realise that mighty movements have their origins in tiny beginnings. It is so with your Association too whose membership has grown from a couple of hundreds to a thousand, while the assets of your Benevolent Fund have risen from scratch to Rs. 2 million within the half century of its existence. This has been solely due to devotion to ideals, unity of purpose and spirit and to the steadfast upholding of a just cause. Your Association is justifiably proud of an unbroken 50 years of existence in service to its members, and, as the oldest existing Trade Union of Public Servants, is worthy of emulation by so many Trade Unions that are sorely in need of guidance.

I believe that your policy, unlike that of some Trade Unions, has been to help yourselves while not hurting the public in the course of your legitimate activities. Adherence to these objectives, so often mutually incompatible in trade union work, in these days of harrowing pressures and temptations to win the plaudits of the crowd or the plums of office, is possible only through unity. It is this message—“united we stand, divided we fall” that I wish in all humility to leave with you as you celebrate your Golden Jubilee and set out towards the centenary milestone.”

The colonialistic mentality of the Administration would be further borne out by the following records made in 1931:-

“After 3 1/2 years of valuable and constructive work as President Mr. N. S. Perera resigned from this office with effect from 4th February 1931. The reasons for this resignation are worth noting as it shows the colonialistic mentality of the then administration. After each A. G. M. it was customary to hold a Garden Party, Get-to-gether, Sports Meet or Social. After the 8th A.G.M, it was decided to hold a Dinner. As the Patron Mr. A. H. D. Davidson was on leave out of the Island, the President Mr. N. S. Perera invited the Actg. S. G. Mr. Thornhill to be a guest of the G. S. A. at the Dinner. The Actg. S.G.’s reply was as follows:-

“I understand the Hon’ble the Colonial Secretary is now unable to come. In view of this my presence is not necessary, and I shall be glad if you will excuse me.

I think a small private function between members would be much more suitable than a big official dinner, especially in view of the present depression."

This shows the mentality prevailing at the time, and the President Mr. N. S. Perera replied as follows:-

"The customary invitations have been issued this year too, but I am not aware of any attempt on the part of the Association to make the function a big official dinner."

As in the past, only a sense of propriety and duty has actuated the issue of the invitations."

The Dinner was held at Grand Oriental Hotel, Colombo, covers being laid for sixty, and the chief guest was the Hon'ble Mr. D. B. Jayatilleke, Vice President of the Legislative Council.

Among the other guests had been the Hon'ble Messrs E. R. Thambimuttu and D. S. Senanayake. It was given a big write up in the National Newspapers. Unfortunately Mr. Thornhill could not forget the matter. He put up "Note" to go into various files in which he attempted to justify punishment to Mr. Perera for his actions as President. Extracts from this note are given here as being the 1st recorded victimisation of a G.S.A. official.

"I interviewed Mr. N. S. Perera, Asst. S. S. regarding his insubordinate, disobedient, disloyal, and disrespectful conduct of late, as shown by the incidents detailed below.

I also pointed out that as the President, Officers and Members of the G.S.A. are first of all officers of the Survey Dept. and they are liable to be punished Departmentally if they are disloyal to the Dept. or disrespectful or insubordinate to their superiors.

I pointed out that after I refused Mr. Perera's invitation to the dinner there was no necessity for him to write back and tell me that I was only asked out of a sense of propriety,

that the tone of this letter was distinctly disrespectful and insubordinate. I pointed out that it was obviously to be a big official dinner and it was distinctly insubordiante on Mr. Perera's part to contradict me or even to answer the letter at all, as I only stated my opinion and did not place any embargo on the dinner."

What would Mr. Thornhill do if he sees todays mildest letter! When the 8th A.G.M. resolutions were sent to him he sent them back to the G.S.A. Para 2 of his letter reads:

"I also wish to point out that it is incorrect for your Association to "request" the Surveyor General and you should word your resolutions more politely and respectfully to "enquire" or "suggest" "beg" or "prey" etc.

Unfortunately for us the petty mindedness of the Actg. S.G. made Mr. N. S. Perera resign untimely from the Presidentship, rather than strain too much the bonds between the Patron and the Association.

From this time, until the early 40's, the Surveyor General attempted to interfere in G.S.A. activity, and it is to the the credit of the executives of these years that they did not succumb to his attempts to gag and bind the G.S.A."

Another old record is as follows:-

The Negotiator

The General Strike of October 1946 was a turning point in the trade union history of our country. It was, by far, the biggest strike ever in Ceylon up to that time. It was essentially a strike of 'workers', the main demand being 'housing' for workers at or close to their places of work - at Ratmalana for Railway workers at Kolonnawa for factory workers, at Mutwal for harbour workers, and so on. The 'workers' were led openly by left-wing politicians. Despite minor setbacks, the strike was considered eminently successful.

The middle grade Public Servants, though severely affected by the soaring cost of living, had not joined the strike (that was to happen in May-June, the following year) but their restlessness and hostility to the 'Establishment' was quite apparent, and most discerning people knew that the 'bubble' would burst any moment. Ceylon was then under the Donoughmore system of government, and the Chief Secretary (Sir Charles Collins) was the Head of the Public Service. The Government felt that it could no longer be indifferent to "workers" demands and as a first step in accommodating them, all Heads of Departments were instructed to give a hearing to trade unions, if and when they wanted to discuss any matters with them.

The GSA was one of the first trade unions to seize this opportunity. It asked for an interview with the Surveyor General (R. J. Johnstone), and was granted one, though not with much grace. This was the first time in the nearly 150 year history of the Survey Department that surveyors were going to sit with the SG and discuss their problems on equal terms. The SG had no option in this, the direction having come from the Chief Secretary. The interview was known to most surveyors, and some of them quite apprehensive of what was going to happen, obtained leave for the day and came to the Head Office in Fort to be at the scene of action of the historic event.

The GSA delegation consisted of S.R. Yapa (President), C. S. Perera (Secretary), D. L. Peiris, Chappy Pate and perhaps some others whose names I am unable to recall. At the appointed time the delegation entered the SG's 'sanctum sanctorum' the first time that threshold was crossed by a trade union delegation. The SG, who did not hide his feelings of resentment and annoyance, sat at the conference table and the discussion started.

The delegation stated their case. The SG listened sullenly. At one point Chappy said, "Sir our demand is" That was all he could utter, The SG exploded and banged his enormous fist (he was a giant of a man) on the table which, perhaps, shook the

building to its foundations, and yelled, "You dare not demand anything here. You say any damned thing you have come to tell me and get out. It is left for me to decide what I should do".

Soon after, the interview ended and the surveyors who were around were relieved to see their delegation walking out on their feet. That was the first interview the GSA (for that matter, any Departmental trade union) had with the Head of the Survey Department."

Of course, from 1930 to 1944, was, all over the world, a period of little trade union activity. The financial depression of the early 1930's and the resultant mass scale retrenchment, the unrest in Europe due to Hitler and the 2nd World War, all contributed to this lull in trade union activity. In Sri Lanka (Ceylon, as it was known then) in particular, in addition to the above causes, the introduction of the Donoughmore Constitution with Ceylonese Ministers, also contributed to restrained trade union activity.

Having dwelled a while in the past, perhaps it may not be out of place to put down a few facts about my own union, the Govt. Surveyors' Association, the Brain Child of its Founder Secretary.

Soon after the First World War, in the year 1922 at the Campus of the Survey Institute, Diyatalawa, where the rigours of full-time training has gone on for many decades, sixty five surveyors inaugurated one of the oldest of the Public Service Trade Unions, the Govt. Surveyors' Association at a time the life of a surveyor was very hard with solitude and long weary evenings in primitive living conditions. From the inception, the Association covered fully its objectives, which included a Benevolent Fund on firm precepts of economic stability and giving the members many benefits. The Association was Incorporated by Act No. 14 of 1939 and I believe, this is unique. In 1932 the Secretary was full time released for trade union duties. The Association possesses two buildings in Bambalapitiya (one over 50 years and the other over 35 years old). In the early days another leader remembered for his great efforts was J. D. Vanden Driesan. When

the Second World War broke up there was a lull in trade union activity. However after the calm came the storm when in 1944, S. R. Yapa re-vitalised the Association. This was followed by A. P. S. Gunawardane whose record was long and distinguished.

The G.S.A. can look back with pleasure, satisfaction and gratitude to the pioneer leaders, on the seventy two years that have gone by, which is quite a "chunk" of the hundred years of trade union activity in Sri Lanka.

From the foregoing, it is evident how difficult the scene had been in the past as compared to what it is today. Presently many trade unions have added to their old issues, new areas of activity such as the development of resources like funds, buildings, equipment, libraries, research units and welfare activities for the members. During the passage of time, labour was getting more organised and a recent trend was also another very important aspect towards the forward march of the workers, namely **Workers' Education**. Institutions too have come up where **Workers' Education** takes place in a very specialised manner, such as the Sri Lanka Foundation Institute and the Institute of Workers' Education of the University of Colombo. The role played by the International Labour Organization (I.L.O.) has been great indeed. It is a happy coincidence that the I.L.O. is presently celebrating its 75th anniversary.

Professionals as well as trade unionists have done much towards the furtherance of Workers' Education, about which we in the Worker Educators' Association of Sri Lanka (WEAL) too can feel happy. After all, "happinees" is a perfume you cannot sprinkle on others without putting a few drops on yourself !

The trade union movement in Sri Lanka during the 100 years of its growth has contributed much towards social justice and social progress. Not only have more and more labour legislation been made but also better labour standards being enforced. The labour movement has also uplifted the working class in general, and the concept "dignified labour" is in the lips of all. However, it has to be put down, that, although there is an "Ocean" of

Labour Legislation in Sri Lanka, the bulk of it benefits only the workers in the private sector!. This, I feel should at least be thought-provoking! Nevertheless, I am hereto annexing a list of Labour Legislation in Sri Lanka, which shows the rapidity with which Labour Legislation has developed.

Perhaps the foregoing could be regarded as "**A Voice from the Wilderness**", the wilderness where no one has set foot before, the wilderness that had surrounded the life of the Surveyor from the time the Sri Lanka Survey Department, the oldest Government Department, was created in the year 1800 and for the past 194 years the surveyors had been making the Instrumental Observations in the field and drawing all the plans that were needed as a prerequisite before any land development could take place.

The workers in Sri Lanka have celebrated 100 years of growth in the trade union movement and have set out towards the next landmark.

While they look back with satisfaction and gratitude to their pioneer leaders, who have worked with dedication, sacrifice and fortitude, they can look forward with hope and expectation to the years that lie ahead.

LABOUR LEGISLATION

SUBSIDIARY LEGISLATION

Section of Enactment

Ceylon Government Gazette

Children and Young Person Act (Chapter 23):

Section 51. The certified schools and approved schools rules 1961 No. 12, 499 of 30.6.1961

Diseases (Labourers) Ordinance (Chapter 225)

Section 2 Proclamations No. 6,818 of 11.8.1916 Subsidiary Legislation 1956 Vol. IV, p. 809

Section 12 Rules

No. 6,884 of 29.6.1917 Subsidiary Legislation 1956 Vol. IV, p. 809

No. 10,168 of 27.10.1950 Subsidiary Legislation 1956 Vol. IV, p. 809

No. 10,707 of 3.9.1954 Subsidiary Legislation 1956 Vol. IV, 809

No. 10,794 of 13.5.1955 Subsidiary Legislation, 1956 Vol. IV, p. 809

No. 11,221 of 20.12.1957

No. 12,797 of 3.1.1961

No. 13,441 of 21.12.1962

Employees' Council Act No. 32 of 1979:

Section 1(2) Order No. 40 of 08.06.1979
No. 244 of 06.05.1983

Section 12 Rules

No. 51/19 of 30.8.1979

No. 54/5 of 20.9.1979

No. 69/12 of 4.1.1980

No. 163/4 of 20.10.1981

Employees' Holidays Act, No. 6 of 1959 :

Section 1 "Appointed Date" Notification No. 11,862 of 25.9.1959

Section 2 Holiday Order No Orders

Section 17 Regulations No. 13,200 of 6.7.1962

Employees' Provident Fund Act, No. 15 of 1958

Section 1 "Appointed Date" Notification No. 11,328 of 30.5.1958

Section 4(3) Appointment of Officers No. 11,579 of 7.11.1958

Section 10(3) Order No. 11,590 of 21.11.1958

No. 11,619 of 20.12.1958

No. 11,732 of 29.4.1959

No. 11,755 of 30.5.1959

No. 11,790 of 26.6.1959

No. 11,817 of 29.7.1959

No. 11,871 of 25.9.1959

No. 11,924 of 26.10.1959

	No. 11,983 of 30.11.1959
	No. 12,018 of 24.12.1959
	No. 13,653 of 30.5.1963
	No. 14,381 of 23.4.1965
	No. 14,936 of 11.12.1970
	No. 88 of 30.11.1973
Section 46 Regulations	No. 11,573 of 31.10.1958
	No. 13,101 of 11.5.1962
	No. 13,200 of 6.7.1962
(Correction of error)	No. 14,200 of 16.10.1964
	No. 230/18 of 3.2.1983
	No. 278/9 of 4.1.1984
Employees' Trust Fund Act No. 46 of 1980:	
Section 43 Regulations	No. 125 of 23.1.1981
Section 16(2) Order	No. 121 of 20.12.1980
	No. 127/3 of 09.2. 981
	No. 154/8 of 18.8.1981
	No. 171/2 of 14.12.1981
Employment of Females in Mines (Chapter 130) :	
Section 3 No Regulations	} Subsidiary Legislation 1956, Vol. II, p. 354
Section 4 No Regulations	
Employment of Women, Young Persons and Children Act, No. 47 of 1956 :	
Section 3 (7) 31—Employment of Young Persons at Night Regulations	No. 11,302 of 25.4.1953
Section 9 (3) 31—Employment of Young Persons at Sea Regulations	No. 11,302 of 25.4.1958
Section 14 & 31—Employment of Children Regulations	No. 11,302 of 25.4.1958
Section 21 (3) 31—Employment of Young Persons Regulations	No. 11,302 of 25.4.1958
Section 23 31—Separation of Industry from Agriculture Regulation	No. 11,302 of 25.4.1958
Section 34 (1)—Appointment of Officers	No. 11,479 of 22.8.1958
Estate Labour (Indian) Ordinance (Chapter 133) :	
Section 16 Order	No. 7,894 of 20.11.1931 Subsidiary Legislation, 1956, Vol. II, p. 391
	No. 9,517 of 8.2.1946 Subsidiary Legislation, 1956, Vol. II, p. 391
	No. 10,657 of 26.3.1954 Subsidiary Legislation, 1956, Vol. II, p. 391
Factories Ordinance (Chapter 128)	
Section 2—Notification regarding commencement of occupation of factory	No. 12,617 of 25.8.1961
Section 13—Regulations regarding General Standard of Lighting	No. 14,577 of 4.12.1965

Section 15—Regulation regarding Sanitary Conveniences	No. 14,577 of 4.12.1965
Section 27—Regulation regarding Hoists and Lifts	No. 12,494 of 23.6.1961
Section 34—Regulation regarding Steam Boiler	No. 12,494 of 23.6.1961
Section 35—Regulation regarding Steam Receiver	No. 12,494 of 23.6.1961
Section 36—Regulation regarding Air Receiver	No. 12,494 of 23.6.1961
Section 38—Regulation regarding Water Sealed Gas Holders	No. 12,494 of 23.6.1961
Section 47—Regulation regarding Washing Facilities	No. 14,577 of 4.12.1965
Section 50—Regulation regarding First Aid	No. 14,899 of 26.3.1970
Section 50—Regulation regarding First Aid	No. 90 of 23.05.1980
Section 53—Regulation regarding Protection of Eyes	No. 66 of 07.12.1979
Section 53—Regulation regarding Protection of Eyes	No. 14,577 of 4.12.1965
Section 59—Regulation regarding Boiler Attendants	No. 14,495 of 3.9.1965
Section 61 (1)—Regulation regarding Notice of Accident	No. 12,494 of 23.6.1961
Section 62—Regulation regarding Dangerous Occurrences	No. 14,577 of 4.12.1965
Section 91 (i)—Regulation regarding General Register	No. 12,494 of 23.6.1961
Section 102—Order regarding delegation of authority to Junior Inspectors of Factories and Labour Officers	No. 14,790 of 23.2.1968
Section 103—Regulation regarding Certificate of Employment	No. 14,196 of 9.10.1964
Section 103—Regulation regarding Appointment of Inspectors	No. 10,600 of 16.10.1953
Section 105—Regulation regarding Meal Rooms	No. 14,577 of 4.12.1965
Section 131—Correction of error in the date of Regulations No. 1 of 1960	No. 13,000 of 30.3.1962
Section 131—Rules relating to Factories	No. 7,553 of 20.10.1926 No. 9,773 of 24.9.1947

Fee Charging Employment Agencies Act No. 37 of 1956

Section 1 (2)—“Appointed Date” Notification	No. 11,263 of 21.2.1958
Section 14—Regulations	No. 11,253 of 31.1.1958 No. 13,279 of 31.8.1962

Foreign Employment Agencies Act, No. 32 of 1980

Section 24—Regulation (Gazette Extraordinary)	No. 131/5 of 10.3.1981
Section 4 (2)—Determination	No. 183 of 05.3.1982

Holiday Act No. 29 of 1971 :

Section 1—Date of Operation 2.9.1971	No. 14,973/8 of 1.9.1971
Section 4—Order Amending the 1st & 2nd Schedules	No. 28 of 6.10.1972 No. 127 of 6.2.1981
Section 9—Regulation No. 1 of 1971	No. 14,984/44 of 15.11.1971

Indian Immigrant Labour Ordinance (Chapter 132) :

Section 14—Regulations	No. 7,339 of 13.7.1923 Subsidiary Legislation, 1956, Vol. II, p. 371
Section 14—Regulations	No. 7,158 of 26.10.1923 Subsidiary Legislation, 1956, Vol. II, p. 371 No. 7,863 of 26.6.1931 Subsidiary Legislation, 1956, Vol. II, p. 371 No. 7,930 of 16.6.1932 Subsidiary Legislation, 1956, Vol. II, p. 371 No. 9,773 of 24.9.1947 Subsidiary Legislation, 1956, Vol. II, p. 371
Section 13 and 23—Regulations	No. 7,359 of 2.11.1923 Subsidiary Legislation, 1956, Vol. II, p. 371 No. 7,929 of 10.6.1932 Subsidiary Legislation, 1956, Vol. II, p. 371 No. 7,930 of 16.6.1932 Subsidiary Legislation, 1956, Vol. II, p. 371 No. 7,946 of 16.5.1941 Subsidiary Legislation, 1956, Vol. II, p. 371 No. 9,773 of 24.9.1947 Subsidiary Legislation, 1956, Vol. II, p. 371
Section 13 and 24—(read with Regulation 26)	No. 7,947 of 7.10.1932 Subsidiary Legislation, 1956, Vol. II, p. 371
“Appointed Date” for purposes of the Immigrant Fund	No. 7,341 of 27.7.1923 Subsidiary Legislation, 1956, Vol. II, p. 371
Rules of the Immigration Contributory Provident Fund	No. 8,712 of 14.2.1941 No. 8,841 of 2.1.1942
Section 23—Regulations	No. 8,583 of 1.3.1940 Subsidiary Legislation, 1956, Vol. II, p. 371

Industrial Disputes Act (Chapter 131) :

Section 31A read with Regulation 10	
(i)—Setting up of Labour Tribunals:	
Labour Tribunal No. 1	No. 11,771 of 12.6.1959
Labour Tribunals Nos. II and III	No. 12,143 of 10.6.1960
Labour Tribunal No. IV	No. 12,499 of 30.6.1961
Labour Tribunals Nos. V, VI, VII and VII	No. 13,961 of 20.2.1964
Labour Tribunal No. IX	No. 14,529 of 8.10.1965
Labour Tribunals Nos. X, XI and XII	No. 14,688 of 25.3.1966

Labour Tribunals Nos. XIII, XIV, XV and XVI	No. 14,866 of 8.8.1969
Labour Tribunal No. XVII	No. 14,930 of 30.10.1979
Labour Tribunal No. XVIII	No. 146 of 1.2.1975
Labour Tribunal No. XIX	No. 34 of 24.4.1979
Section 39—Regulations	No. 11,688 of 2.3.1959
	No. 12,731 of 27.10.1961
	No. 14,533 of 15.10.1965
	No. 15,010 of 12.5.1972
	No. 174 of 25.7.1975
	No. 36 of 10.5.1979
	No. 158 of 11.9.1981
Section 48 (read with Section 32)	
“Essential Industries” Order	No. 11,806 of 10.7.1959
	No. 14,488 of 21.8.1965
	No. 14,754/5 of 25.6.1967
Interim Devaluation of Employees Act, No. 40 of 1968 :	
Section 1 “Appointed Date” Notification ‡	No. 14,827/6 of 14.11.1968
Maternity Benefits Ordinance (Chapter 140)	
Section 15—Regulations	No. 9,634 of 22.11.1946 Subsidiary Legislation, 1956, Vol. II, p. 465
	No. 11,046 of 11.1.1957
	No. 13,387 of 9.11.1962
Medical Wants Ordinance (Chapter 226) :	
Section 3—Notification	No. 8,304 of 23.07.1937
Section 28—Notification	No. 8,032 of 5.10.1934 Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 10,157 of 29.09.1950 Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 6,549 of 21.02.1913 Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 6,695 of 22.01.1915 Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 6,698 of 12.02.1915 Subsidiary Legislation, 1956, Vol. V, p. 820.
	No. 6,744 of 01.10.1915 Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 7,283 of 27.10.1916 Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 7,764 of 28.02.1930 Subsidiary Legislation, 1956, Vol. V, p. 820.
	No. 8,271 of 12.02.1937 Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 8,309 of 13.08.1937 Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 8,415 of 25.11.1938, Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 8,567 of 12.01.1940 Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 9,471 of 12.10.1945 Subsidiary Legislation, 1956, Vol. IV, p. 820.
	No. 10,965 of 31.03.1956 Subsidiary Legislation, 1956, Vol. IV, p. 802.

No. 11,207 of 29.11.1957 Subsidiary
Legislation, 1956, Vol. IV, p. 820.
No. 14,433 of 26.05.1965 Subsidiary
Legislation, 1956, Vol. IV, p. 820.

**Mines, Quarries and Minerals Ordinance
(Chapter 210)**

Section 49—Rules (relating to Mines)

*No. 6,260 of 11.09.1908 Subsidiary
Legislation, 1956, Vol. V, p. 505.
*No. 6,510 of 28.06.1912 Subsidiary
Legislation, 1956, Vol. V, p. 505.
*No. 8,625 of 21.06.1940 Subsidiary
Legislation, 1956, Vol. V, p. 505.
*No. 8,746 of 16.05.1941 Subsidiary
Legislation 1956, Vol. V, p. 505.
*No. 8,883 of 13.03.1942 Subsidiary
Legislation 1956, Vol. V, p. 505.

**Mines, Quarries and Minerals Ordinance
(Chapter 210) Contd.**

Section 49—Boiler Examination Rules

*No. 9,988 of 19.02.1943 Subsidiary
Legislation 1956, Vol. V, p. 505.
*No. 9,848 of 31.03.1948 Subsidiary
Legislation 1956, Vol. V, p. 505.
*No. 6,361 of 24.03.1910 Subsidiary
Legislation 1956, Vol. V, p. 505.

**Section 49—Rules for the Prevention
and Spread of Anchylostomiasis**

No. 6,912 of 23.11.1917 Subsidiary
Legislation 1956, Vol. V, p. 505.
No. 7,301 of 15.12.1922 Subsidiary
Legislation 1956, Vol. V, p. 505.

Minimum Wages (Indian Labour) Ordinance (Chapter 135) :

Read with Section 10—Notification

No. 8,689 of 23.12.1940.
No. 8,889 of 31.03.1942.

**National Apprenticeship Act. No 49 of
1971 :**

Section 2—Orders

No. 41 of 5.1.1973.
No. 96/54 of 1.2.1974.
No. 154/6 of 14.3.1975.
No. 176/17 of 12.8.1975.
No. 41/5 of 11.1.1973.
No. 41/5 of 11.1.1973.

Section 61—Regulations

Payment of Gratuity Act, No. 12 of 1983 :

Section 1 Order

No. 238/2 of 29.3.1983.

Public Security Ordinance (Chapter 40) :

**Orders and Regulations, etc., in force on
17.6.1976—**

Emergency (Estate Workers Guaranteed
Minimum Wage) Regulations
Emergency (Private Sector Additional
Allowance) Regulations
Emergency (Private Sector Budgetary
Relief Allowance) Regulations

No. 217/42 of 17.6.1976.
No. 217/47 of 17.6.1976.
No. 217/54 of 17.6.1976.

Emergency (Plantation Workers' Additional Special Allowance) Regulations	No. 217/25 of 17.6.1976.
Emergency (Payment of Gratuities and other Monetary Benefits of Indian Repatriates) Regulations	No. 217/49 of 17.6.1976.
Emergency Regulations regarding Suspension of Corporation Employees	No. 217/16 of 17.6.1976.
Emergency (Tea Estate Workers' Wage Supplement) Regulations	No. 217/46 of 17.6.1976.
Emergency (Textile Manufacturing Trade Workers' Minimum Monthly Rate of Wages) Regulations	No. 217/33 of 17.6.1976.
Registration of Domestic Servants Ordinance (Chapter 137) :	
Section 2 Proclamation	No. 3,873 of 6.4.1872. No. 4,265 of 13.12.1878. No. 5,448 of 13.12.1886. No. 8,133 of 12.7.1935. No. 8,366 of 29.4.1938.
Shop and Office Employees (Regulation of Employment and Remuneration) Act, (Chapter 129) :	
Section 2—Order	No. 10,724 of 15. 6.1954 Subsidiary Legislation, 1956, Vol. II p. 325.
Section 7—Order	No. 14,597 of 28.12.1965. No. 14,689/4 of 5.4.1966. No. 14,723 of 25.11.1966 No. 14,779/16 of 18.12.1967 No. 14,828/4 of 17.11.1968. No. 14,848/5 of 10.4.1969. No. 14,866 of 8.8.1969. No. 14,879/15 of 29.11.1969 No. 14,932 of 12.11.1970. No. 14,984 of 15.11.1971. No. 14,986 of 23.11.1971. No. 33 of 10.11.1972. No. 296/10 of 22.12.1977. No. 10,872 of 23.12.1955.
Section 23—Determination by Consent	
Section 29 (3)—Determination by Remuneration Tribunals in respect of :	
(1) Establishments maintained for professional purpose by Advocates and Proctors in Ceylon	No. 11,794 of 30.06.1959.
(2) Establishments maintained for professional purpose by Notaries in Ceylon	No. 11,794 of 30.06.1969.
(3) 26 Hotel establishments in the City of Colombo	No. 12,237 of 28.11.1960.
(4) 17 shop establishments in the City of Colombo	No. 14,856 of 30.05.1969.
(5) 209 Hotel establishments in the City of Colombo	No. 14,880 of 14.11.1969.
(6) 59 Lanka Petrol Filling and/or Services Stations in the City of Colombo	No. 14,987 of 13.03.1970.

(7) 257 Textile Shop establishments in the City of Colombo	No. 14,932 of 12.11.1970.
(8) 64 Pharmacists/Druggists' Shop establishments in the City of Colombo (Correction of Error)	No. 14,943 of 29.01.1971. No. 14,948 of 05.03.1971.
(9) 81 Hair-Dressing saloons in the City of Colombo	No. 14,988 of 10.12.1971.
(10) 47 Textile Shops in Colombo 11 area	No. 66 of 29.06.1973.
(11) 59 Shops dealing with cigarette distributing in Sri Lanka	No. 220/6 of 06.07.1976.
(12) 59 Lanka Petrol Filling and/or Service Stations in the city of Colombo	No. 153 of 28.02.1975.
(13) 67 Textile Shop and Pharmaceutical Shop in Kandy	No. 161 of 24.04.1975.
(14) 23 Hotels in Nuwara-Eliya	No. 109/2 of 29.04.1974.
(15) 43 Book Shops in Colombo	No. 254 of 25.02.1977.
(16) 59 Petrol Filling Stations and/or Service Stations in the city of Colombo	No. 58/5 of 18.10.1979
Section 40—Closing Order	No. 28/3 of 09.10.1972. No. 89 of 07.12.1973. No. 314 of 21.4.1978. No. 333 of 9.9.1970.
Section 66—Regulations	No. 10,724 of 15.10.1954. No. 10,199 of 02.03.1956. No. 11,174 of 27.09.1957. No. 11,564 of 24.10.1958. No. 12,553 of 21.07.1961. No. 14,962 of 11.06.1971. No. 111 of 10.05.1974. No. 314 of 21.04.1978.
Trade Union Ordinance (Chapter 138) :	
Section 3—Appointment of Officers	No. 18,160 of 25.10.1935 Subsidiary Legislation 1956, Vol. II p. 407.
Section 4—Appointment of Officers	No. 8,160 of 25.10.1935 Subsidiary Legislation 1956, Vol. II, p. 407. No. 8,615 of 17.05.1940 Subsidiary Legislation 1956, Vol. II, p. 407.
Section 52 and 53 Regulations	No. 8,160 of 25.10.1935 Subsidiary Legislation 1956 Vol. II, p. 407.
Tundu Prohibition Ordinance (Chapter 134) :	
No subsidiary legislation	
Wages Boards Ordinance (Chapter 136) :	
Section 52—Appointment of Officers	No. 14,739 of 08.03.1967 No. 39 of 22.12.1972 No. 89 of 07.12.1973. No. 149 of 31.1.1975. No. 45 of 13.7.1979
Section 57—Regulation	No. 14,961 of 04.06.1971. No. 66 of 7.12.1979.

Workmen's Compensation Ordinance
(Chapter 139) :

Section 18
Section 27
Section 54—Regulations

Subsidiary Legislation Vol. II p. 433.
Subsidiary Legislation Vol. II, p.433.
No. 8.134 of 19.07.1935 Subsidiary
Legislation Vol. II, p. 433.
No. 11,023 of 14.12.1956.
No. 11,152 of 02.08.1959.
No. 140 of 28.11.1974.

Section 65(1)

Note :

†Those rules were made under section 4 of the Mines and Machinery Ordinance No. 2 of 1896 (since repealed) and are continued in force to the extent they are not inconsistent with the provisions of the Factories Ordinance and so far as they may be necessary for the purpose of supplementing those provisions.

‡Prior to the coming into operation of this Act, the provisions of the Act were given effect to from 11.12.1967 by the Emergency (Interim Devaluation Allowance of Employees) Regulations made under section 5 of the Public Security Ordinance (Chapter 40) from time to time.

*Those rules were made under section 4 of the Mines and Machinery Ordinance No. 2 of 1896 (since repealed) and are continued in force in so far as they are not inconsistent with the provisions of the Mines, Quarries and Minerals Ordinance (Chapter 210).

TRADE UNION SITUATION IN SRI LANKA 1884—1994

By

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The Pioneers of Trade Unionism:

The first person to introduce ideas of trade unionism into Sri Lanka was Alfred Earnest Buultijens (1865-1916), a Burgher whose career showed the influences of both a Western liberal education and the Buddhist revival. Buultijens went to Britain on a Ceylon Government Scholarship in 1883. Buultijens was in Britain between 1884 and 1887, years of severe economic depression, unemployment and political turbulence, (when militant trade unionism, socialist ideas and Marxism were) gaining ground.

The years 1881 onward.....marked the oncoming of a great new tide over the Western World..... It was a fascinating and enthusiastic period preparatory, as we now see, to even greater development in the twentieth century.

London was a center of political dissent and social non-conformism. Karl Marx, Engels and other revolutionaries lived in London, where Marx died in 1883. British Marxists, led by H. M. Hyndman formed the Social Democratic Federation in 1881. The Fabian Society was formed in 1884, had Sydney Webb, Annie Besant and Bernard Shaw among its Leaders and the Social League, also started in 1884 was led by William Morris.

The Printers Strike

The printers strike in Colombo in 1893 was the outcome of the propaganda in favour of trade unions that had been carried on by A. E. Buultijens and Dr. Lisboa Pinto. The main grievance of the printers included low pay, bad working and living conditions. The wages of the printers seems to have varied considerably

between the nature of the job and the offices in which they worked. The first revolt of printers took place in September 1893, when a strike of sixty printers occurred at British owned H. W. Cave & Co., the largest firm of printers and booksellers in Colombo. The immediate cause of the strike was a delay in the payment of wages and the refusal of the Manager to alter the mode of payment.

The Spread of Labour Unrest

In the year following the printers agitation, strikes among group of workers became a recurring feature of urban life and some middle class Ceylonese began to feel that the workers who were showing defiance of authority and even a willingness to resort to strike action needed the more responsible members of that community. This "moderate" group emerged as an important political force in the first decade of the 20th Century. In the field of labour activity, however, the role that the moderate assumed was not that of labour leader or trade union organiser, which meant actively aiding the workers in their struggle against the employers, but rather that of "friend of a poor," a mediator between employers and workers in labour disputes, an advocate of caution and conciliation and a promoter, what was vaguely called "workers" welfare.

The moderate approach to labour was first seen during the strike of Colombo Laundrymen which occurred in July, 1896. The strike was the longest and most militant of the decade, was a protest against innovations.

The Growth of Militant Labour Activity

The interconnection between political, religious revival, and labour unrest became more explicit between 1906 and 1915. There were three important phases of labour activity in 1906, 1912 and 1915 and in each case, a study of the background of these years reveals the growing maturity and assertiveness of the Colombo working class which began to acquire the characteristics of urban industrial wage labour. The strike of carters in 1906 was the first occasion when resistance to authority by a significant section

of the working class met with success. A certain amount of political and religious unrest preceded the strike, and during this period the radicals continued to play an important part in the religious, political, and labour movements.

Influence of the British Labour Party

The formation in 1928 of the Ceylon Labour Party and the All Ceylon Trade Union Congress were ambitious attempts by the labour leaders to assert the independence and the strength of labour in the political and trade union fields and to agitate for the extension of democratic rights. The background of this development was the cleavage between the moderates and the radicals on labour problems and the franchise issue. Another major factor which affected the decision of Ceylon Labour Leaders to launch out on their own was the influence exerted by the British Labour Movement.

The Ceylon Labour Party

The need for a separate political party based on the interests of masses "who formed the backbone of the Country" had been often emphasized by A. E. Goonasinghe. Since the Constitution recommended for Ceylon by the Donoughmore Commissioners was to be based on universal suffrage, the formation of a Local Labour Party was thought to be opportune, as the newly enfranchised masses would be able to send representatives to the legislature. According to Goonesinghe, the Members of the Ceylon National Congress and the Legislative Council belonged to the "Haughty, patronising and tyrannising Upper Ten" in society, who had done nothing for the "voiceless masses". The deprivation, helplessness and wretchedness of the workers were described by Goonasinghe. At the inaugural meeting of the Ceylon Labour Party, on October, 1928, Goonesinghe was unanimously elected to be the leader and Chairman of the Party and Marshall Perera, a Lawyer who had been in Labour Union was elected as Secretary. The large executive of 37 members included four members of the Legislative Council and several lawyers, doctors and teachers. A novel feature of the Executive Committee was the presence of ten women members. The objective of the Labour Party were to promote candidates to contest general and local elections.

Militant Trade Unionism—1923

The urban trade union movement reached the peak of its influence during the years when the labour leader A. E. Goonesinghe made a bid for political prominence. The labour movement had grown strong enough to develop its own separate identity, distinct from the largest political organisation in the country, and the radical politics remained the dominant influence on labour. The series of strikes between 1927 and 1929, most notably among the harbour and tramway workers, and taxi drivers, accompanied by boycotts, mass demonstrations, violence and rioting, were the most militant witness in the country to that date.

The Results of Labour Unrest

The Employers' Federation and collective agreement.

The attitude of the capitalists and the government of trade unionism changed with the circumstances. By 1928, after the harbour and hiring car strikes, the more enlightened private employers and government officials were prepared to come to terms with the labour movement by conciliatory measures which implied the recognition of trade unions and their leaders. In this year, an Employers' Federation was formed and the first collective agreement was signed a year later. But attitudes hardened in 1929 after the tramway strike because the situation seemed dangerous with the result that, under pressure from employers and key officials in the administration, the government tried to pass harsh legislation to curb the labour activity.

The Labour Movement in the Plantation Sector

Capitalist forms of production had first made inroads into Ceylon in the plantations, but the relationship between the worker and employer on plantations retained nonetheless certain feudal features. This was the basic reason for the lack of political or trade union organisations among plantation workers until 1931. The process of unionization on the plantations developed in isolation for the very active urban movement. The leaders of the urban labour were aware of the grievances of the

vast mass of unorganised workers on the tea and rubber plantations but they made no attempt to introduce trade unionism on the plantations or to link the urban and plantation workers in joint action.

The Role of the Colombo Working Class in the year 1915 Riots

The authorities were aware of the political implications of riots among the urban working class and with the spread of riots from the provinces to Colombo at the end of May, 1915, government of Fiscals began to panic. The nature of the rioting in Colombo, in which the urban working class and city poor participated, took on the complexion of mob activity rather than religious rioting. The factor was commented upon by the Governor who held that martial law would have been unnecessary if the outbreak had been limited to the villagers who were people noted for their simplicity and ignorance..... with a sincere devotion to the creed of their fore-fathers.

Labour Politics, 1923—1929

The years between 1923 and 1929 form a period of economic boom and political change. The Ceylonese middle class which benefitted from the economic prosperity of this period furthered its claims for self-government. The working class, which made use of the opportunity to improve its economic position through trade union activity also began to assert itself as a political force.

One characteristic of the radicals of this period was their disillusionment with the moderate policies of the Ceylon National Congress. Some radicals rallied round Mr. S. W. R. D. Bandaranayake who had returned from Oxford in 1925. A progressive nationalist party with Bandaranayake as its president was formed in 1926 and was supported by many of young nationalists because it advocated full self-government.

The Trade Union Movement of Sri Lanka has been the momentous changes that are taking place in socio-economic conditions of the country for the past two decades and these changes have raised a range of issues in the working conditions of the State employees in the nature of work, employment and living conditons.

In Sri Lanka in the organised sector by and large trade unions have come into being. However, they have developed certain characteristics. To begin with, the impetus for trade unions came from outsiders, motivated by social service, ideological considerations, political ambition and a few opportunists. These unions had concentrated mainly on bread and butter issues. The leaders did not also consider education as a must for development of trade unions. There were, however, a few leaders who had the foresight for the need of education and they did some pioneering work. Quite recently many unions have followed up and have started their organisations. However, there has not been much of a co-ordination among these institutions.

It is in this background that Sri Lanka has to consider our problems in trade union education and arrive at a feasible plan of action to begin with.

TRADE UNION MOVEMENT IN THE PLANTATIONS AND WORKERS' STRUGGLES

By

S. NADESAN

President,

United Plantation Workers Union,

and

Joint Plantation Trade Union Committee

Though systematic immigration of Indian labour to work on the plantations began in 1830s, due to the oppressive conditions it took a whole century for trade unions to grow in the plantations. It was only after Mahatma Gandhi and other Indian political leaders conducted campaigns against immigration of Indian labour that the 'tundu' system whereby workers were chained to the estates by means of debts heaped upon them was abolished by 'Tundu Prohibition' Ordinance in 1921.

The estate workers, however, were faced with great barriers at every stage of their struggle to organise themselves. The task of raising their consciousness came to be fulfilled by K. Natesa Aiyar. Aiyar was elected to the Legislative Council in 1925. He was a prolific writer and through his paper '*Dhesan Bakthan*' he gave a clarion call to arouse the immigrant workers against the planters' Raj. During the Depression years Aiyar founded the Ceylon Indian Estate Workers' Federation and fought against wage cuts.

Revolt Against Planters' Raj

After the L.S.S.P was formed in 1935 by the L.S.S.P. leaders, including Dr. S. A. Wikramasinghe, Dr. N. M. Perera, Philip Gunawardena, Dr. Colvin R. De Silva and M. G. Mendis, they began to espouse the cause of the plantation workers. A number of militant strikes were conducted in 1939 and 1940 under the leadership of the All Ceylon Estate Workers' Union founded by the L.S.S.P. The strength of the rising tide of revolt against

oppression can be better understood from Police circulars in this regard. P. N. Banks, the Inspector General of Police issued a special circular which read : "Of late various influences have been at work which have made estate labour politically minded, and consequently, there are many labourers who feel discontented with their present conditions of life and work. Threats of sit-down strikes have been made. It is necessary, therefore, that the police should know exactly what policy should be followed. The Assistant Superintendent of Police, Central Province, Robins defined the policy to be followed to deal with the 'Strike Fever'. His instructions to the police officers were "It is essential that all ranks not only know by heart their firing orders but also that they can appreciate the application of these" (Sessional Paper XV, 1940, p. 17)." This monstrous policy was executed at Mooloya Estate, Hewaheta, some 30 miles from Kandy.

Led by the All Ceylon Estate Workers' Union 1400 workers asserted their right to form a trade union and later demanded a wage increase. Tamil and Sinhalese workers stood solidly together and conducted the strike. The high morale and militancy of the workers alarmed the Police no less than the European employer. Robins proceeded to the estate with an armed Police party. When the workers refused to be intimidated, a Policeman D. G. Suraweera shot down a worker named Govindan. This dastardly act of murder of an armed worker provoked indignation throughout the country. Dr. N. M. Perera and Philip Gunawardena raised the matter in the State Council and demanded the appointment of Commission to inquire into this incident. A one-man commissioner inquired and his verdict was that "the shooting of Govindan cannot be justified in law." But no action was taken against the Police officer.

In any case Police shooting could not prevent workers in many estates from going on strike. The strike wave spread from Central Province to Uva. In May 1940, there was a major strike at Wewessa Estate where the workers established a Workers' Council and indeed disarmed the Police.

Unable to contain the unrest in the entire plantation sector the Minister of Labour, Industry and Commerce held discussions with the employers' organisations and the workers' trade unions in July 1940. This led to the signing of the Collective Agreement called the Seven Point Agreement which recognised the right of the workers to form unions and "negotiate with the employers on any demand." With this Agreement and the arrest of the L.S.S.P. leaders the strike wave in the plantations began to ebb.

General Strike for Equal Wages for Men and Women Workers

One of the memorable strikes in the plantations is the general strike of 1984. This strike was conducted by the C.W.C. and the Joint Plantation Trade Union Committee (JPTUC).

In the budget for 1983, the government granted a wage increase of Rs. 100/- to its employees but this was not extended to the plantation workers. The 1983 July holocaust and the discriminatory policy in regard to wage increases were leading to a feeling of resentment against the government amongst plantation workers. Taking note of this situation, I convened a conference of plantation unions, which decided to resort to trade union action on four demands including equal wage for men and women workers and a wage increase of Rs. 100/- a month. And the JPTUC addressed a joint letter signed by 15 unions including the CWC, to President Jayewardene on 23 November 1983 informing him of their decision. The JPTUC mounted a well-organised campaign amongst the workers on these demands. As the campaign gained momentum the CWC and the LJEWU suddenly announced on 19 March 1984 that they would launch into action from 1st April. The JPTUC too declared a strike from 2nd April.

In this developing situation, the government sought to avoid a major strike in the plantations by granting a Rs. 2/50 wage increase a day and equal wage for men and women workers through its own union the LJEWU led by Mr. Gamini Dissanaïke. Hailing this as a unique victory for Mr. Dissanaïke, the LJEWU pulled out of the proposed strike. The CWC had been left out in the cold and denied a share of the kudos. Since Mr. S. Thondaman was away in India it was presumed that the situation was ideal for such a manoeuvre.

But, when Thondaman returned, the Executive Committee of the CWC decided on strike action. Thondaman later wrote: "What had triggered the strike was the fact that the administrators who were in charge of the dispute had (no doubt on the advice of the LJEWU) made a unilateral declaration that the new increase interim wage package would come to force on April 1st. But the impact of the declaration had the opposite effect." (S. Thondaman, "My Life and Times" Colombo, 1987, p. 172). The JPTUC too reaffirmed its decision and the general strike was launched on 2nd April 1984. Nearly half a million workers launched into strike action. Tea was fetching record prices in the world market—a kilogram of tea was fetching Rs. 60/- to Rs. 150/- and therefore the impact would be felt by the government. In fact, President Jayewardene announced that the government was losing Rs. 60 million a day, but refused to have any discussion with the striking unions.

However, on 5th April, the Minister of Plantation Industries, Mr. Montague Jayawickrema held discussions with the unions. S. Thondaman and S. Sellasamy (CWC), S. Nadesan, Alavi Moulana and Rosaris Fernando (JPTUC), C. V. Velupillai (NUW), Gamini Dissanaiké (LJEWU) J.E.D.B and SPC Chairman, Labour Commissioner Mr. Weerakoon and others participated. Minister Jayawickrama wanted the unions to call off the strike saying that it was causing grave danger to the country's economy. The unions refused to budge, and it was decided that a delegation consisting of S. Thondaman, Dr. Colvin R. De Silva and S. Nadesan to meet President Jayewardene.

This delegation met the President who gave a patient hearing. Later, when the unions met Minister Jayawickrama, he said that the President wanted the unions to call off the strike and that a committee would go into the demands. A statement to this effect was drafted by the Presidential Secretary, S.L.M. Marikar and the CWC officials. At this stage, Nadesan informed the CWC leader Mr. Thondaman that the JPTUC could not sign such a statement. Thondaman straight away agreed and the meeting with the Minister stood adjourned.

The same evening the striking unions met at the CWC office and decided to continue the strike. The unions also empowered Mr. Thondaman to discuss with the President and reach a favourable settlement of the strike. Mr. Thondaman paid a whirlwind visit to the up-country and vigorously campaigned to extend the strike. The JPTUC leaders too held meetings and exhorted the workers to continue the strike. A joint meeting was held at the CWC office in Kandy and Thondaman, Nadesan and Maliyagoda addressed the workers whose response was magnificent.

The threat of the superintendents to withhold April festival advances only angered the workers to continue the strike.

On 9 April, there were some bombing incidents in the North. And on 10th April, President Jayewardene called Thondaman for a discussion and conceded an additional wage increase of Rs. 2/- per day. Consequently a male tea worker's daily wage rose from Rs. 18.61 to Rs. 23.75. Thus, with equal pay for men and women a female worker's wage which was Rs. 15.01) rose by 58 per cent. The President also declared that workers would be offered six days work a week.

The CWC and the JPTUC called off the strike. The plantation workers rejoiced at this grand victory, and thus ended the historic general strike in the plantations.

100 YEARS OF TRADE UNIONISM IN SRI LANKA AND ITS IMPACT ON THE PLANTATIONS

By

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Administrative Secretary,

Lanka Jathika Estate Workers' Union (LJEWU)

One hundred years of Trade Unionism in Sri Lanka is a unique record in our Labour Movement. It had been a long story of exploitation, intimidation, confrontation, retaliation, repression, struggle, recognition and acceptance.

From about the second decade of the nineteenth Century, the British Colonial rulers, in the wake of the coffee plantations and the withering of this crop in the Midcountry, had cleared-up the forests of the high elevations in the Upcountry for the tea plantations. Lands of the native population were compulsorily acquired with legislation passed and promulgated for this purpose.

The exploitation and abuse of labour at the hands of the Colonial British Employers had not gone unnoticed in this country. The organised Labour Movement that was gaining ground in the West made its impact in this British Colony then and there had been public agitation for the welfare of the workers and the exposition of the hardships the workers of this country suffered at the hands of the British employers. Public spirited men like Mr. A. E. Buultjens and Dr. L. Pinto used their forceful writing in support of the workers. Mr. Buultjens had published an article in the '*Independent Catholic*' of July 1893, reviewing Trade Unionism abroad and advocating its introduction here. It was around the year 1893 that the workers of the printing trade at H. W. Caves & Co. Ltd. staged a work stoppage or a 'Strike' for the first time in this country, over their claim for delayed wages. These workers took up the call for organised labour proclaimed by the above inspired and fiery writers of the time and became the pioneers and the first front liners of our labour struggle and they also became the first casualties and victims and martyrs in the cause for organised

labour in this country. The first strike failed and its ring leaders were dismissed and out of this work-stoppage and confrontation with the employers was born the Trade Union Movement in Sri Lanka. This historical labour incident set in motion a long and protracted labour struggle for the establishment of the workers' rights and a better deal for the working class in this country.

We see in a chronological order the early Workers' Associations' making way to militant trade unionism under the patronage of the various political powers and later under the wings of the leftist political parties. We pay our glowing tribute to the early pioneers of the workers' movement like A. E. Goonesinghe and the trade unionists who have gone before us and we are grateful for their contribution to the workers' cause and most of the workers enjoy the fruits of their labour today.

As for the plantations of Sri Lanka, we see that the early attempts to improve the sad lot of the Indian estate workers had been initiated by men like Mr. K. Natesa Aiyar who was then a Member of the Legislative Council and who also organised the "All Ceylon Estate Labour Federation" in 1931 to safeguard the estate workers' rights. 'Ceylon Indian Congress Labour Union' was formed subsequently.

Indian estate labour was exploited to the fullest by the Colonial British employers. In the words of a recent writer to the National Press on 'The Saga of Indian Labour' "Constraints (on the Indian Labourers) such as the demands of caste, domination by the Head Kangani System, strict regimentation by the planter, religious beliefs and vetoes, the cloistered environment and deprivation of education and opportunity made the Indian labourer like the frog in the well, in almost complete ignorance of what was happening in the outside world. He was born into debt and lived and died in debt with no hope of getting out of the vicious downward spiral of neglect."

The Colonial British Government had to intervene on behalf of these ill-treated estate workers who were considered by the Colonial Government as potential sources of national calamities,

living in sub-human living conditions. Such appalling living conditions provided fertile ground for break of epidemics and dangerous diseases which would eventually cause shortage of labour and delay in providing of export crops. It was with this one-sided thinking that the Colonial Government had to intervene and compel the British estate employers to provide better living conditions for the workers and the Colonial rulers went to the extent of even imposing punitive legal provisions for defaulting estate employers. It was for this purpose that the early Labour Legislation such as the Medical Wants Ordinance, Disease among the Labourers Ordinance, Maternity Benefits Ordinance, Indian Immigrant Labour Ordinance, Estate Labour (Indian) Ordinance etc. were promulgated by the Colonial Government. It would be observed that the earliest and the original Labour Laws originated in the plantations, exclusively for the plantation workers and in their interests and it must be emphasised that the workers in the plantations paved the way for the introduction and promulgation of Labour Laws in this country.

In the Estate Labour (Indian) Ordinance No 13 of 1889, it was legally provided that the estate workers be provided with six days work per week. The same Ordinance provided for separate housing accommodation for any labourer living with his or her spouse and the employer could not compel them to share such room with any other person other than a child of such labourers or of his or her spouse. (Here the 'Child' meant a child of or under the age of twelve years and included an adopted child or an illegitimate child of or under that age.) An employee who contravened this statutory provision was subjected to a fine not exceeding Rs. 100/-. Medical Wants Ordinance No. 9 of 1912 provided for proper medical care of the estate workers including creche facilities, sanitary facilities, free-feeding of infants and transport facilities for sick workers to the nearest Government hospitals etc. Weekly holiday and leave matters were statutorily provided for and it was made obligatory on the British Employers to strictly comply with these requirements under pain of punitive action against them. The above statutory provisions have been quoted at random to illustrate the point that long before trade unions came into being in the plantations, the Colonial rulers in their own

interests and for their own advantage had statutorily provided for proper care of the estate workers, lest these workers, being neglected become a source of national health calamity that would obstruct their supply of export crops. The workers were benefited of course but the irony of the struggle of the trade unions in the plantations today is that after more than 50 years of the organised labour movement in the plantations, the Workers' Trade Unions, quite a multiplicity of them, are agitating and fighting for the very same rights and facilities the plantation workers enjoyed under the British rulers, long before the trade unions came into existence in the plantations. The civic changes of the national status of the plantation workers have taken place at political level. There is not much left for the unions to take credit for achieving something new that the workers did not enjoy earlier except for a few matters other than changes that have taken place on a matter of State policy. The old estate school system was taken over by the State and the estate education came under the mainstream of the national education system with the upgrading of the estate schools and providing facilities for higher education of the estate children. In contrast with the earlier compulsory registration of new workers in the plantations, today we are faced with mass unemployment of the estate youth due to the inability of the estates to absorb the workers' children. After 50 years of trade unionism in the plantations, we are still fighting for 6 days work per week for the workers with little success on an uniform basis. We still have labour disputes on matters of leave and housing facilities. Today the line rooms are crammed with several families occupying the same line room quite in contrast with the privilege the pioneer workers already enjoyed under the Colonial Masters.

Under the Land Reform Act, which limited the individual ownership of land to 50 acres, the plantations were nationalised in 1972 and the management of the State-owned plantations came under the management of the JEDB and the SLSPC and under structural changes that took place in 1992 in the plantations, the management of the State-owned estates was privatised while the ownership thereof was retained by the State and vested in 23 Estate (Govt.) Companies.

As for the new benefits won for the plantation workers by the trade unions, mention must be made about the achievement of the LJEWU in winning for the estate workers equal wages for both adult male and female estate workers, irrespective of the work performed by them. In this respect, we have even exceeded the International Labour Standard which stipulates equal pay for equal work for both sexes.

We have a long way to go to provide full protection for the plantation workers. The long awaited Collective Agreement for the plantation workers still remains to be realised. Through the efforts of the LJEWU and the other major trade unions in the plantations, we have been able to enter into a Collective Agreement with the Employers' Federation representing the new estate management companies only in respect of certain staff categories in the estate staff. Mention must also be made about the successful inauguration of an Insurance Scheme among the plantation workers on the initiative taken by the LJEWU with the approval of the Government. Several structural changes are taking place in the plantations. The housing and welfare of the plantations workers is now vested in the Plantation Housing and Social Welfare Trust created for this purpose by the Government. Two major trade unions in the plantations are appointed to the Board of Directors of this Trust which is assisted by foreign donor countries. This Trust is still in its formative stages. With its wide objectives, it is expected to be a deviation from the past for the betterment of the plantation workers. With trade unions made co-partners and placed in key roles in this Housing and Social Welfare Programme, we can look forward to making a meaningful contribution to the long neglected plantation worker.

TRADE UNIONS IN DEFENCE OF SOCIAL JUSTICE AND DEMOCRATIC RIGHTS

By

JAYARATNA MALIYAGODA

*President,
LGSU*

Unending contradictions between labour and capital have *inter alia* created conditions for uneven social development and social unrest in all countries of the globe. The trade union movement is a counter product of capital. One of the main objectives of the trade union movement is to defend the social security and social justice for working people at large.

The trade unionism is a living ideology and the trade union movement is a necessary integral part of the society as long as contradictions between capital and labour exist.

In Sri Lanka (Ceylon) under the British rule, the idea of trade unionism bloomed in the minds of a few educated socially concerned intellectuals who had experience in the British trade union movement in the latter part of the 19th Century. Special mention may be made of the powerful impact of the 1917 revolution in Russia and the Indian National Movement both of which helped to energize the nascent trade union movement in Sri Lanka.

One of the most significant facts of the Sri Lankan trade union history is that trade unions came into being before political parties. In that context, the task of the trade unions was very decisive. Their contributions towards social justice in a broad sense, during that period, were very important. In 1935 the Trade Union Ordinance was promulgated by the British rulers with a view to controlling the activities of the trade unions which were very militant and strong.

One of the remarkable contributions made by the trade union movement, in relation to social justice and democratic rights of the masses of workers, was winning of the adult-franchise in 1931

for all Sri Lankans - both male and female. That was an unparalleled achievement for an Asian trade union movement, in the face of uncompromising opposition from **Very Powerful Politicians** — both Sri Lankan and British, though one should not forget the handful of radical politicians who supported the demand of TU movement.

The first collective agreement in 1929 marked a turning point in the history of the Sri Lankan TU movement. Basically, it had two aspects — while recognizing the trade union as a legal entity of the workers, the employers were, at the same time, successful in binding the trade union to certain conditions to observe industrial discipline. An example of such conditions was that the worker could not resort to wild-cat strikes.

But, in fact, the workers covered by the collective agreement could not abide by the conditions of industrial discipline owing to repercussions of the world economic crisis which erupted in 1930's. The workers were compelled to resist against austerity measures taken by both the state and the employers who reduced wages and retrenched workers. As a result there were widespread work stoppages in Colombo and the employers counter acted by sacking the striking workers and bringing in, in their place a large number of South Indian labourers (mostly Malayalis) on lower wages. This kindled anti-Indian feelings in the minds of disgruntled workers. When Mr. Goonasinghe and his supporters referred to Dr. N. M. Perera as "Kochchi N. M." it was a reflection of that communal feeling. Mr. Goonasinghe who until then was the foremost worker-leader in Sri Lanka, started to suffer reverses in the trade union movement due to a lack of vision to understand the political implications of the world economic crisis. Dr. (Ms.) Kumari Jayawardhana in her book entitled *"Ethnic and Class Conflicts in Sri Lanka"* (pp. 41-42) refers to this fact in the following terms:

"Under the impact of seriously deteriorating economic conditions, the policies of the trade union movement underwent a drastic change. Trade union leaders either did not recognize, or preferred to soft-pedal the fact that the retrenchment of

workers and the shrinking of employment opportunities were a direct consequences of the economic crisis The situation was also aggravated by the presence of a mass of cheap labour that could be used during strikes. For example, there were several strikes between 1929 and 1932 — Lake House, Times of Ceylon, Queen's Hotel, Kandy and Galle Face Hotel, Colombo— when employers used the occasion to replace Sinhala workers with Indian labour, thereby increasing prevailing resentment."

However, until late 1920's Mr. Goonasinghe represented the working class irrespective of ethnicity. Dr. Jayawardhana's book in page 55 states that "...Sinhala working-class, under the socialist-democratic leadership of Mr. A. E. Goonasinghe was at a peak period of ethnic unity and class solidarity, and opposed discrimination against plantation workers. In this period the plantation workers were denied all democratic rights and freedoms under the "planters raj".

Retreat of "Goonasinghe trade union movement" marked the birth of a new and more militant trade union movement led by young Marxists. The well known Wellawatte Spinning and Weaving Mills strike of 1933 was the land mark which indicated that the new leadership was in ascendancy. The new leaders were instrumental in politically educating the workers, thus paving the way for out-growth of the trade union movement beyond its hitherto limited economic objectives and launching into fields of democracy and social justice.

The Marxist left trade union movement, not only gave leadership to urban workers, they also assumed leadership in the workers struggle in the plantations.

The rejuvenated trade union movement took leadership in representing the social interests of the common masses of the country. The significant role played by the trade union movement in the "Hartal" of 1953 was one of the instances where its social leadership was amply displayed. Prevalence of a strong trade union movement contributed to nurturing the democratic political culture in the country till early 1960's.

Social and political changes that came about in 1956 and thereafter, led to the creation of a large state economic sector, as was reflected by the many statutory Boards and Corporations under which terms of thousands of workers were employed. This naturally, invited the influence of the Government into the TU movement and pro-government trade unions came into being. That resulted in a major division in the trade union movement with some of the trade unions supporting the government while others opposed the decisions of the government which were disliked by the masses of workers.

Such was the origin of the state controlled trade union movement in Sri Lanka, and it opened the gates for weakening the trade union movement in the interests of the rulers. It also created the conditions for curtailing people's freedoms, welfare and rights.

Use of communal slogans by various politicians in the leadership of government and parties, in furtherance of their electoral interests, could not be fenced out from the workers movement in which there were large sections of first generation workers.

The major defeat suffered by the workers movement in the strike of 1980 was one of the results of the above mentioned division of the movement. There was still another important factor that immobilized the trade union movement. The fascist forces which emerged with leftist slogans on their lips made serious inroads into trade unions and drove a fear psychosis into minds of masses of workers. They even assassinated many trade union leaders.

Unending emergency rule with more and more undemocratic regulations being promulgated from time to time and curtailment of trade union freedoms has reduced TU movement to what it is today.

The trade union movement is faced with the question, "what is the way out ?" In place of the class political vision, the need for which was felt from 1930's onwards, we find today a political authoritarianism force on the trade unions by different parties

which are using TUu as weapons in power politic. This unhealthy situation not only militates against workers unity but also undermines internal democracy of TUu.

After 100 years of experience, let us start from the beginning once again. Let us build a truly democratic trade union movement. Let us practise democracy and educate workers on democratic practice. Let us learn lessons from our own history. Numbers alone do not make a strong trade union movement. Policy, democratic organization and devoted leadership are very important in order to face up to the present day challenge.

LABOUR RELATIONS IN SRI LANKA AND THE SETTLEMENT OF INDUSTRIAL DISPUTES

By

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The law relating to labour disputes in this country is the Industrial Disputes Act No. 43 of 1950, which has been amended in several respects since its enactment. The Act is intended "to provide for the prevention, investigation and settlement of industrial disputes". It defines an industrial dispute as being "any dispute or difference between an employer and a workman or between employers and workmen or between workmen and workmen connected with the employment or non-employment, or the terms of employment, or with the conditions of labour, or the termination of the services, or the reinstatement in service, of any person, and for the purposes of this definition 'workmen' includes a trade union consisting of workmen."

It should be borne in mind that the entirety of the public services are excluded from the application of the Industrial Disputes Act, under Section 49, which declares that "nothing in this Act shall apply to or in relation to the State or the Government in its capacity as employer or to or in relation to a workman in the employment of the State or the Government."

The hundreds of thousands of employees in the services of the State or the Government are not provided with any alternative means of settlement, under the law, of disputes or differences between them, individually or collectively, and the State or the Government.

Apart from this, Part IV of the Trade Unions Ordinance of 1935, as amended by Act No. 15 of 1948, precludes trade unions of Government employees from being registered as trade unions under that law, unless their rules contain provisions restricting

them "solely to public officers who are employed in any one specified department of Government or in any one specified service of the Government, or who, having regard to the nature of the work upon which they are engaged are of any specified class or category of public officers though employed in different departments of Government....." This important restriction of the freedom of association of public servants was enacted after the repression and collapse of a major strike of several unions of Government servants in 1947, in pursuance of a demand for full trade union and political rights for public servants.

The result has been the registration of a multiplicity of trade unions of Government servants, without their having any effective means of redress of grievances or settlement of disputes. An important consequence of this has been a tendency amongst most of them to seek redress through links with political parties, either in the Government or in the Parliamentary opposition.

Even in regard to the several millions of workmen (employees) to whom the Industrial Disputes Act is legally applicable, it is important to recognise the fact that the overwhelming majority of them are not organised in trade unions. This is the case especially in what is described as the "informal" sector of employment, but is also the case in most establishments regarded as belonging to the "formal" sector of employment. No statistics are available as to the total number of employers in the private sector, let alone of the number of workmen they employ, either on a formal basis or on a 'casual' basis, even if for regular work. It is significant to note in this connection that the *Annual Report* of the Central Bank for 1992, has estimated "total employment in the public sector" at 1,228,337, by the end of 1992; whereas the only indicator it has given as to employment in the private sector is the number of employees registered with provident funds including the Employees' Provident Fund. According to the Report, the number of "active accounts with the EPF" in 1991 was 1,341,086. It will thus be seen that with an estimate of nearly 1.3 million employees in the public sector, and just over that figure in the 'organised private sector' covered by provident funds,

the total figure of those in both sectors is less than half of the total figure of about 5.5 million persons estimated to be in employment in Sri Lanka today.

It is in this context that it must be clearly recognised that the Industrial Disputes Act is incapable of providing for the settlement of the disputes of the vast majority of the workmen in this country, in the private sector, to which it is limited.

In the circumstances, what the Act largely serves to do, in practice, is to provide trade unions or individual workmen with means of recourse to adjudication by Labour Tribunals established under the Act, with the prospect of reinstatement or compensation in cases of termination of employment on disciplinary grounds that are found to be unjustified. The history of the Labour Tribunals will show how limited is the redress obtained by the relatively small number of workmen whose dismissals may be adjudicated upon by them. The long periods that workmen have to wait for such redress, especially as a result of delays in the disposal of cases and appeals by employers against adverse decisions of Labour Tribunals, are well known to trade unions and all those engaged in the field of industrial relations.

The provisions of the Industrial Disputes Act in regard to Collective Agreements are only applicable to the very small number of trade unions in the private sector that are sufficiently representative of the workmen in some establishments in that sector, and that are strong enough to be capable of engaging in collective bargaining with the employers concerned. Only a few thousands, or at most tens of thousands of workmen, are fortunate enough to have their terms and conditions of employment governed by collective agreements registered under the Act, that are made legally enforceable. Disputes under such agreements are referable to arbitration under the Act, strikes being precluded in pursuance of such disputes, as a condition demanded by employers for such agreements.

In other cases, terms and conditions of employment are regulated by law only in trades that are covered by Wages Boards established under the Wages Boards Ordinance of 1941. The

Shop and Office Employees Act of 1954 provides for regulation of certain terms and conditions of employment in establishments covered by it, including minimum terms of remuneration, as in the case of Wages Boards. Even in the case of workmen or employers covered by such legislation, enforcement of terms and conditions of employment thereunder is almost impossible in the absence of effective trade union organisation.

The Industrial Disputes Act is intended to settle disputes or differences between employers and workmen by conciliation or arbitration, either by individual arbitrators or Industrial Courts appointed under it. In practice, little redress can be achieved thereby even by comparatively strong trade unions, in cases of disputes with employers in establishments where they cannot achieve direct settlements with the employers concerned, by negotiation.

It is abundantly clear that no Government in this country has ever been seriously concerned with the settlement of any other disputes than those which result in or are capable of resulting in strikes or other forms of trade union action that the employers cannot easily defeat or suppress. The provisions of the Industrial Disputes Act relating to compulsory arbitration for the settlement of disputes, on an order made by the Minister of Labour, bear this out. Any strike that is commenced or continued after a reference to arbitration by the Minister of the dispute involved, would be illegal. If this was not enough, successive Governments have utilised the provisions of the Public Security Ordinance to make regulations to illegalise strikes in trade or services declared to be 'essential', with automatic termination of employment for any stoppage of work in them. A recent amendment of the Essential Services Regulation, made on September 25, 1993, has exempted strikes by registered trade unions from the application of the Essential Services Regulation, provided 14 days prior written notice is given to the Commissioner of Labour and the employer concerned. This regulation had been in operation for many years and was last renewed by President Wijetunga, in June, 1993.

Representative and effective trade unions, enjoying the freedom of strike, are essential for collective bargaining, which would enable workmen to work under terms and conditions of employment that are acceptable to them, and to settle disputes with their employers, through negotiation, on a fair basis. This has been recognised by the International Labour Organisation which adopted two Conventions of importance in this connection, No. 89 and No. 98.

ILO Convention No. 87 on "Freedom of Association and Protection of the Right to Organise" was adopted in 1948. No Government of Sri Lanka, which is a member of the ILO, has been willing to ratify that Convention, up to now.

On the other hand, even though Convention No. 98, on the "Right to Organise and Collective Bargaining", adopted by the ILO in 1949, was ratified by the Government of Sri Lanka in 1972, neither that Government nor any of its successors up to date, has seen fit to implement that Convention by appropriate legislation. This is in spite of the fact that the Committee of Experts of the ILO has repeatedly called attention to - "the need to adopt legislative provisions accompanied by civil remedies and penal sanctions to ensure the protection of workers against acts of anti-union discriminations, both at the recruitment stage and during the course of employment" (Article 1 of the Convention) : and "the need to adopt legislative provisions accompanied by civil remedies and penal sanctions to ensure the protection of workers, organisations against acts of interference by employees' or employers' organisations (Article 2)"

According to the Report of the ILO Committee of Experts for 1989, the Government of Sri Lanka had stated in 1987 that "despite the difficult political, economic and social situation, it was aware of the need to bring the national law into conformity with the Convention". Nevertheless, the Government did not do so. The Committee has pointed out that "for several years, the Government has been referring to draft legislation to guarantee the application of Articles 1 and 2 of the Convention, but that no progress have yet been made."

It is in this context that the ineffectiveness not only of the Industrial Disputes Act but of other labour legislation in providing for the maintenance of even minimal rights for workers in employment and protection against arbitrary or unjust termination of their employment has to be considered.

Individual workmen, unrepresented by trade unions may, if they dare, while in employment, make complaints to the Commissioner of Labour under the Act. The Commissioner, in such rare cases, would only be capable of seeking to enforce existing labour legislation, but would be powerless to act to settle grievances about terms and conditions of employment not governed thereby. The same applies to disputes brought to the notice of the Commissioner even by recognised trade unions, if the employers or the employer's organisation concerned choose to ignore recommendations that may be made by the Commissioner for settlement. All he can do, in that case, is to refer such disputes to arbitration.

THE ROLE OF SMALLER UNIONS IN THE PUBLIC SECTOR

By

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Irrigation Engineering Diplomates' Association

The contribution of unions with large memberships to improving conditions of their members as well as the working class generally is known. Some of these larger unions are the Ceylon Workers Congress in the plantation sector, Ceylon Mercantile and General Workers Union in the mercantile sector, the Ceylon Bank Employees Union in the banking sector, the Public Service Workers, General Clerical Services and Ceylon Teachers Unions in the public sector. After the political changes of 1977, the Jathika Sevaka Sangamaya representing workers in the private and public sectors has gained a large membership as well as influence. These unions by virtue of their numbers, resources available by way of membership subscriptions as well as other factors have played a dominant role not only in the trade union movement but in the social and political spheres too.

The aim of this article is to draw attention to the lesser known efforts of smaller unions, particularly in the government departmental sector, towards achieving their objectives.

Part IV of the Trade Unions Ordinance contains provisions of special application to unions of public officers. Sub-section 21(1) restricts the formation of unions to those employed in one department or engaged in similar work in different departments. Federation, combination or amalgamation is not freely permitted. As a result, professionals such as medical officers, engineers, administrative officers, clerical officers and others in Combined or All Island Services can be members of a single union if they so desire. There are no unions representing all employees of one department although this is legally permitted. In a society that is elitist-oriented, it is difficult to conceive the head of a department and unskilled workers in that department belonging to one union.

In fact, amongst engineers there is a tendency for university graduates, to distinguish themselves from those who have qualified through examinations of institutions of engineers and again from others who qualify in examinations conducted by the Commissioner of Examinations for different government departments. Instead of unity, there is diversity and rivalry.

The largest number of small unions occur in the middle level 'technical' services. There are a multiplicity of departmental grades in various fields of activity such as highways, buildings, water supply, agriculture, animal husbandry, irrigation, local government, education, railways, health etc. The number of members in these unions vary from 10 or 12 to over 10,000 as in the case of state nursing staff.

At different times, these smaller unions have tried to overcome the diminution of their strength due to legal inhibition by forming 'joint fronts' or 'federations'. On occasion such combinations have obtained de facto recognition of the state, their employer, but never de jure recognition. The formation of federations or amalgamation is governed by sections 34 and 35, Part V of the Ordinance. The aim of the state in preventing free association amongst its employees by law, is continuance of the colonial policy of exercising control by division.

Against this background of restricted freedom of association two smaller unions have nevertheless achieved substantial recognition by resourceful organisation. They are the Government Surveyors' Association (GSA) and the Irrigation Engineering Diplomates' Association. (IEDA, formerly Irrigation Technical Assistants' Union).

The GSA was registered as a trade union in 1922 with just 23 members, all Surveyors employed in the government Survey Department. At the same time a Benevolent Fund (GSABF) was established. The GSA acquired its own premises in a city suburb with funds contributed by the members in 1943. A building to house its office, a hostel, quarters for the Secretary and a club house was constructed, again with members funds and opened in

1958. From 1932, the GSA. has enjoyed the facility of the Secretary being released on a full time basis for trade union work, paid by the State. In 1939 the GSA took a lead role in forming the Public Service League (PSL), a loose knit organisation of public services unions, with the principal objective of improving service conditions.

In the 1960's the GSA became the centre of activity for middle level officers in the "technical" services of government departments. The Government Technical Officers' Trade Union Federation (GTOTUF) was formed in 1962 or so with 30 unions. In a few years its membership had grown to 70 unions. The GTOTUF's campaign for better salaries and other benefits along with other public service unions, culminated in the General Strike of 1968. The strike collapsed after 23 days when a section of postal workers succumbed to the Essential Services Order under Emergency Regulations. Thereafter the GTOTUF divided due to intrusion of party politics resulting in one group breaking away to form the Public Service Technical Officers Trade Union Federation (PSTOTUF). After the 1980 strike of public servants was crushed by the government both federations disintegrated. The GSA has continued its contribution to the working class movement in general by participation in organisation such as the Trade Union National Centre and Worker Educators' Association of Sri Lanka.

The IEDA first registered in 1953, with about 50 members—all Technical Assistants of the Irrigation Department. It was a member of the PSL, GTOTUF, COPSITU and presently of the Trade Union National Centre (TUNC). In 1973, it acquired its own premises and has spacious buildings including an office, hostel and living quarters for the Secretary. The militancy of the IEDA will be appreciated by its participation in a token strike of public servants in 1962, a strike on its own in 1965, the 23 days general strike in 1968. In 1972, it held the Joint Front of Technical Officers Trade Union Federation (JTOTUF), a combination of 8 unions with about 2000 members, in the longest strike in public service history lasting 42 days. In 1968 and 1972, its members successfully withstood the Essential Services Order under the Emergency Regulations.

The maximum membership of the IEDA was 850 in 1980. It is now 550.

The IEDA has never received any assistance from the State, financial or otherwise or any other source such as political parties or NGOs. It has always relied on the support and enthusiasm of its own members and thereby maintained an independent stance.

The GSA and the IEDA, in addition to concerted efforts to improve the service conditions of their members, operated welfare schemes such as retirement and death donations, distress loans, examination study classes, hostel and recreational facilities.

This brief history of the activities of two small unions demonstrate that despite legal impediments, determination and devotion can, not only ensure improvement in the conditions of members, but also contribute to the progress of the movement as a whole. Democracy demands the fostering of democratic institutions. Towards this end, the right to associate freely is an absolute necessity. The Trade Unions Ordinance should be changed to ensure this right at least at the commencement of its second century.

DEPARTMENT OF LABOUR AND ITS WORKERS' EDUCATION PROGRAMME

By

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Historical Overview

Opening of plantations in the mid-nineteenth century could be considered as the beginning of a new era in the socio-economic system of this country. It was at this point of time that the feudal system that existed in almost every sphere of activity took a turn towards transformation into a capitalistic system. Emergence of a wage-earning labour force was a natural phenomenon under this new system. It is significant that, due to the refusal or reluctance of the local labour to work in plantations, the need arose for import of labour from neighbouring India. Tendency on the part of British entrepreneurs was to seek cheap labour and maximising their profits, which naturally resulted in exploitation of labour. The policy of 'laissez faire' adopted by the Government was supportive of this situation. Much of the labour legislation at that time were not so much protective of labour interests, but were intended to promote and encourage recruitment of labour to the plantations. One of the first labour legislation to be enacted was Service Contract Ordinance, No. 11 of 1965. There were also other legislation enacted in regard to estate Indian labour.

It was only after the First World War that any serious attempt was made to improve the condition of workers in the country. Coming into being of the International Labour Organisation (ILO) in 1919 and perhaps some concern of India in regard to the protection of 'Indian' labour in the plantations may have been instrumental in this regard. Some important labour legislation were enacted during the period of two decades from 1923 to 1942. The Trade Union Ordinance, No. 14 of 1935 provided for legal recognition of workers' organisations, even though such organisations existed even as far back as 1893.

Ministry of Labour

The Ministry of Labour, Industry and Commerce was established in 1931 under the provisions of the Donoughmore Constitution. Hon. Peri Sundaram was the first Minister holding office from July, 1931 to April, 1936. The subjects under this Ministry has been varied from time to time and at present it is called the Ministry of Labour and Vocational Training.

Department of Labour

With the enactment of the Indian Immigrant Labour Ordinance No. 1 of 1923, a new Department was formed to carry out certain functions relating to Indian labour on estates. This is the origin of the present Department of Labour. The Head of this Department was called the Controller of Indian Immigrant Labour. The first holder of this post was W. E. Wait, C. M. G., M. A. (Edin.), F. Z. S. He held this post from June, 1923 to May 1925. During the tenure of office of N. J. Luddington, MSc. (Durham), the third holder of this post, from December, 1929 to July, 1933, the designation was altered to Controller of Labour.

With the introduction of the Donoughmore constitution in the year 1931, additional subjects such as Industrial welfare, Industrial association, Industrial disputes, conditions, wages, hours of work of labour including Indian labour, inspections of factories and working places and protection and safeguarding of workers, social security to employed persons, etc. were assigned to this Department. The Department of Labour was no longer concerned with the Indian immigrant labour, but with all categories of labour in the country.

Then in 1945 the designation of the Controller of Labour was altered to Commissioner of Labour. Mr. M. Rajanayagam, B.A., LL.B. (London), who was a Deputy Controller from 1936, appointed as acting Commissioner of Labour from 3rd February, 1948 is considered to be the first Sri Lankan Head of the Department of Labour.

Sri Lanka became a member of the International Labour Organisation (ILO) in 1948. Out of the 174 ILO Conventions adopted so far, Sri Lanka has ratified 33 Conventions of which 05 remain denounced in view of revisions. This also resulted in the enactment or amendment of many labour legislation, which has reinforced legal protection of workers.

Workers' Education Programme

An Overview

The concept of Workers' Education was first mooted in Sri Lanka when the ILO provided the services of an expert named Haakon S. Lie, who conducted a preliminary study with the assistance of the Department of Labour, followed up with two seminars conducted in February, 1960, with the participation of representatives from major trade unions in the country. It was agreed that a Workers' Education Centre would be established and that initial operation of this Centre would be undertaken by the Department of Labour and then the management transferred to trade unions. A committee consisting of seven trade unions was also formed for this purpose. However, in course of time political and ideological differences between the trade unions surfaced, which resulted in prevalence of dormancy with regards the establishment of a Workers' Education Centre. Consequently the Department of Labour commenced workers' education activities on a very moderate tempo in the year 1962, but no funds were specifically provided for this purpose in the national budget.

Sri Lanka Foundation Institute which started functioning with residential facilities in the year 1974, has somewhat substituted for the Workers' Education Centre originally proposed. In addition to the Department of Labour and Sri Lanka Foundation Institute, at present, some leading trade unions, the University of Colombo and certain non-governmental organisations are conducting workers' education programmes individually. Lack of any co-ordination between these various institutions in conducting workers' education programmes is very much inconsistent with the intent of the ILO to establish one single Workers' Education Centre.

Workers' Education Programme of the Department of Labour

General workers' education and population/family welfare education, are two major components of the workers' education programme of the Department of Labour. These programmes are carried out with limited funds provided in the annual national budget. Specific projects funded by the United Nations Fund for Population Activities (UNFPA) have been implemented by the Department of Labour since 1973. Five such projects have been completed already. A sixth project (Model Residential Welfare Education Centre for Working Women in Katunayake Free Trade Zone) and the seventh project (Population/Family Welfare Education through Department of Labour Vocational Training Programme) are on-going.

While most of these programmes are targetted towards employees of the formal/organised sector, some population/family Welfare Education programmes are extended to the informal sector, such as, fisheries, agriculture etc. as follow-up activities of previously concluded projects funded by the UNFPA.

SRI LANKAN TRADE UNIONS AND DEMOCRACY

By

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One of the essential defenders and proponents of democracy in any society are a country's trade unions. This is true for all nations, whether rich or poor, north or south. And in looking back on the history of Sri Lanka, it is apparent it is true here as well.

In what ways do trade unions defend and promote democracy? First and foremost, by acting as democratic organizations, themselves. In this way, they are unique among those groups in society outside the government which serve to create a pluralistic society, or in other words, a society with various competing sources of power and influence. In fact, no other organization in society come close to the democratic ideal that trade unions practice on a daily basis — that of voting to elect their own leaders, often from very local levels up to the top rung. No other non-governmental organization, no corporation, no chamber of commerce or other civic or business organization participates in the habit of democracy as often and pervasively as unions do.

A second way that trade unions are crucial to democratic societies, is their interest and ability in addressing public policy. For the purpose of examining trade unions' basic interests in the life of the nation and the public good, it doesn't matter whether a trade union has political connections or not. Any time a trade union talks about the need for a minimum wage, or labour law reform to protect its members, or comments on the cost of living, it is engaging in the public policy debate. Because the government thus receives demands, advice, criticism and encouragement from the workers' representatives on a variety of issues that face the nation, trade unions play a critical role in maintaining the health, skepticism and pluralism of a democratic society.

And in one way, Sri Lanka is lucky to have the trade unions it has. Because of the legacy of colonial labour laws, Sri Lanka has at present over one thousand registered unions. On the surface, this looks like a pretty democratic atmosphere, and quite a pluralistic development. The trade unions cover all ranges of political and apolitical backgrounds, with a multitude of views.

But democracy relies on a balance between individual rights and group needs. While a society that affords individuals the most freedom possible without infringing on the rights of others is to be sought after, practical limits must be put on individuals' rights. And in order for a society to function in the context of the modern world, some of those needs that individuals as well as groups have, should be addressed by society at large. Basic essentials such as defence of the nation, and provision of electricity and water, are too important and too complex to be left merely to an individual to find ways to provide for him or herself. Even a democratic society then, needs some minimal number of 'undemocratic' structures that are constituted for the greater public good in order to provide the rest of society with the stable physical base upon which a civil society can be built.

In this sense, the thousand-plus trade unions that Sri Lanka currently boasts certainly assure skeptics that there are pluralistic elements in society. But just like the question of defence or public utilities, perhaps some structures that are on the surface 'less democratic' might better serve the long-term interests of workers. And in the bargain, if workers' interests are better and more effectively served, their strength as a bulwark and counter to government and business groups can provide for a stronger tradition of pluralism in society in general.

What kind of 'less democratic' approach could accomplish this? Let us take just one legacy of colonial labour law — the fact that any seven people can form a trade union. In one way, this seems eminently democratic. Yet, in another way, this provision in the law serve to splinter the trade union movement and hence obviate its effectiveness.

In order to make the trade union movement stronger, there are several ways in which this problem might be addressed.

One way would be for the Sri Lankan government to pass and enforce legislation that puts teeth into the International Labour Organization conventions 98 and 87 which recognize freedom of association, and the right to organize and bargain collectively (Sri Lanka has only ratified Convention 98 to date). 'Teeth' in this instance would mean forcing an employer by law to recognize a union or unions and in his workplace, and bargain with them.

A second approach might be to emulate the example of Pakistan. Now, Pakistan also has a colonial legal legacy, and a modern history of labour law that is largely not to be admired. However, one facet of Pakistan's law might profitably be adapted by Sri Lanka. In any workplace in which there is more than one union, the workers are required to vote by secret ballot on which union will be the sole bargaining agent with the employer. This has the effect of providing an opportunity for trade unions to work together in a way they might not otherwise.

A third possibility is to follow some variation of the American system. Like Pakistan, the American system has some features which Sri Lanka would not want to adopt. But the establishment, after a secret ballot vote by all the workers in a firm, of a single union to represent the workers and bargain with employers, provides for a stronger union profile and more unity among workers in general.

The last hundred years have seen the Sri Lanka labour movement go through ups and downs; that is to be expected. In the next hundred years, Sri Lanka's trade unions will need all their experience, determination and ingenuity to tackle the twin threats of increasingly sophisticated political arguments against democracy, and the rise of multinational corporations as powerful as nation-states themselves. While much of the economic threat comes from outside Asia and the region, the most severe threat to pluralism, the strength and independence of trade unions, and strong democratic traditions comes from inside Asia — from countries such as Malaysia, China, Indonesia and Singapore.

The future of trade unions in Sri Lanka thus means an adaptation to these changing economic and political realities. In order to triumph, Sri Lanka's labour movement will need to lead the struggle to preserve democratic traditions, both internally and in society at large. By enhancing the power of workers to address their 'bread-and-butter' issues in the face of the new global economy, the trade unions will be making a valuable contribution to preserving and protecting overall democracy in Sri Lanka.

The role of education of workers at all levels of the labour movement in pursuit of these goals cannot be under-estimated. Only when workers clearly understand the fundamentals and the consequences of their struggle can they contribute in a comprehensive way to the goals of strengthening their own movement, and that movement's role in a civil society.

As Thomas Jefferson once said, liberty is not something to be only once achieved; it required constant defending and struggle. Likewise, the importance of education to workers, especially young workers who are coming into the workforce, necessitates a constant vigilance and effort on the part of the trade unions to ensure that the traditions that have guided the labour movement to promote worker rights and labour's role in society, are continually renewed.

TRADE UNIONISM AND DEMOCRACY

By

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Trade Unionism and Democracy are two different concepts which are closely related to each other. Sometimes they run as two parallel organisations to achieve the same objective, the upliftment of the membership or the follower, in social status, economic ability and cultural values. At times they act as safeguards to each other as experienced in Sri Lanka in 1971.

Had the trade unions had any sympathy towards the juvenile insurrection of 1971, the democracy in Sri Lanka would have been perished for a while at least before restoration.

Yet it should not be understood as ideal democracy and ideal trade unionism are being practised here. They have engulfed many more deviations from the real.

Democracy believes that multiplicity of political parties, non-governmental organisations, trade unions, human rights activists etc. as a healthy sign for good governance. However, these organisations should have their own independent line of action, belief, formula strategy, etc. at all times. Yet in Sri Lanka the majority of trade unions, the working class are affiliated to political parties, thereby sacrificing their cherished rights of independence and dignity.

However, in the process of historical development of the trade union movement in Sri Lanka the left oriented political parties had a function to play. In fact their technical ability to handle the labour laws, elevated themselves to be at the helm of this movement. This in turn thrived the political parties themselves by various means.

Nevertheless the political parties that took grounds at a later stage also focused their attention on the organised working class for wooing their support. The fever spread very fast to the extent that majority of trade unions had no other option to choose. They are now caught in the trap awaiting desperately for some one else to release them.

By virtue of the Constitution of Sri Lanka, the Sri Lankan society is not only democratic but socialist as well. In such a society

- * Freedom of Speech
- * Freedom of Religion
- * Freedom of Peaceful Assembly
- * Equality before Law
- * Freedom to participate in Government
- * Freedom to own Personal Property
- * Freedom from Loss of Life. Liberty or Property without due Process of Law,

should be ensured. Has the Sri Lankan society achieved this goal ?

Moreover in an democratic society

- * The citizens should be able to openly criticize the institutions and structures of power without fear of reprisals.
- * Freedom of thought, action and belief should be allowed to the greatest possible extent.
- * It should be able to flourish freely in all ways natural to it without impediments from the State.

In short, a democratic society is one that maintains good order, cohesion, peace and prosperity.

This type of society will only succeed, if masses are well-organised and probably would fail where mass organisations are weak.

In this respect, the trade unions have a very vital role to play. It is opportune to appeal to the trade unions to live up to this standard at the time when the Centenary of Trade Unions in Sri Lanka is being celebrated.

WAGES SALARY COMMISSIONS AND ALLOWANCES OVER THE AGES

By

K. S. KARUNARATNE

Hony. Secretary, WEAL

With the fall of the Kandyan Kingdom in 1815, the British masters realized the need for a strong public service. The duties of public servants were two fold; viz assist in the collection of revenue and provide the infrastructure for the plantation economy to develop and enrich the British planter and their trading houses.

The higher echelons of the public service were filled by Englishmen whilst the middle and lower grades were filled by the locals. Thus, there was a marked differences between the wages of the top brass and that of the lesser public servants. With the passage of time when natives gained the requisite education and experience to fill the grades held by the Britishers, there was a difference between the wages paid to the locals and his expatriate counterpart. This disparity was perpetrated on the excuse that the locals enjoyed the benefits of being in their own localities, they had properties and a supply of cheap labour. Things could not go on in this manner as the areas of social services expanded and more and more locals became superior to their white sahibs, in education and professional pursuits.

The pay policies, wage structures and cadre placements in the public sector exerted a great influence on the wages, wage structures and cadre needs in the other sectors. As the economy was at an early stage of development, the general wage levels were held down by labour surplus. This was true of the colonies. It is evident that the government pay policies followed the general pattern that was prevalent in the developing countries. In Sri Lanka too, this pattern was followed. The history of salary revisions and salary commissions in Sri Lanka began in the year 1912 when general revision of salary scales on the basis of recommendations of A. R. Slater and M. Stevenson. The conditions

prevalent during the First World War, 1914 - 1918, caused an increase in the cost of living. The government, therefore, found it necessary to grant a general revision of salaries to adopt several measures to increase the salaries. As a result, temporary increases of salaries and subsistence allowances took place. This general revision of salaries took place after Brendon Fernando Commission of 1921, which became effective from 1922.

The 1922 Salaries Commission recommended higher salaries for higher officials who were still Englishmen. The salaries were payable in Sterling Pounds. The government realized that the future vacancies in the public service will be filled by the locals and fixed lesser salaries to the new entrants. There was strong criticism leveled against payment of higher wages to the upper rung of the Civil Service. Thus, in 1934 when salaries were fixed, the wages were lower than the 1922 rates.

In 1933, a peculiar commission was appointed. This was the Retrenchment Commission.

The Commission released its report in 1939. This report also set out government policy with regard to the payment of salaries to employees in the public service. The considerations which influenced the recommendations were, the existing salary standards and the major economic factors prevailing in the country constitute the background for salary revision ; that the government should be the model employer and that the government expenses are bound to be more than in the commercial areas ; the rates of payments to public servants should compare well with the scales of wages in the private sector and the higher grades of public servants' wages should be comparable with those of the professionals; the salary should be adequate to recruit and retain an efficient staff and ; the public service should not only be efficient but also healthy.

The next salaries commission was appointed in 1946. This commission had to review the salary structures which constituted the following grades :-

- (a) Old entrants who continued to draw higher salaries.
- (b) New entrants who are in the corresponding grades of the old entrants. They were paid less as they were from the locality and they need not spend more on residential and other facilities.
- (c) All Sri Lankans, minor and other subordinate staff among the old entrants who were promoted to administrative positions after April, 1933, and were paid salaries mid way between 1922 and 1934 wages structures. It must be mentioned at this stage that the Sri Lankan currency was devalued in 1939 and this caused the government to introduce the payment of a war allowance. This war allowance was later modified and paid as a Cost of Living Allowance (COLA). The COLA was paid to all those employees who received less than Rs. 100/- a month. In 1945 the payment of the COLA was extended to employees drawing salaries less than Rs. 500/- p.m. A new feature was also created at this time where by the differences between the highest and lowest scales were narrowed down by and increase of over 50 per cent to the lowest paid employee and about 5 per cent to the highest paid employee.

In 1946, for the first time, payment of wages in the public sector constituted of the following payments :-

- (1) A basic wage.
 - (2) A system of Cost of Living Allowance paid to all employees.
- and
- (3) A system of Rent Allowance which was payable to all employees who drew salaries on a monthly basis. This Salaries Commission recommended that the War Allowance be retained as a Cost of Living Allowance. The year 1939 was to be the base year with the Index at 100 and it was decided that it be retained as long as the COLA is above 135 points. The payment of this allowance was extended to all employees whose salaries were less than Rs. 2,500/- p.m.

This commission also removed another anomaly. This was in the payment of Rent Allowance which was paid only to the old entrants before 1946. The payment of the rent allowance was extended to all government servants who drew monthly salaries.

The payment was categorized into four areas ; viz, Married Employees, Single, Colombo and Outstation. The payment of 15 per cent was paid to married employees in Colombo and 10 per cent to those in the outstations ; single employees were paid 07 per cent in Colombo and 05 per cent in the outstations.

At the time of Independence, the public servants' salary scales were composed of three sections and other variables according to the salary scales and areas of service. At this time of the history the government coffers were full and at the same time the COLA was also rising. The rise caused a decline in the real wages. The COLA payment operated to the benefit of the lower graders of workers. Thus, the agitation was mostly from the middle class employees who drew salaries between Rs. 100/- to Rs. 400/- p.m. A study made by the Director of Census and Statistics gave more punch to claims of the categories of public servants mentioned above. The government gave in to the demands made by the middle class employees and in October 1950, a special living allowance was introduced. A fixed sum was granted as Special Living Allowance (SLA) in addition to the salary and the other allowances.

The SLA varied according to the salary scales and marital status of the employee. It is relevant to state that this was after the first general strike.

A Commission of Inquiry was set up in 1948. Under the terms of this Commission, the first Salaries Commission of the Independent Sri Lanka was appointed in 1951. This was the Poulier Commission. The terms of reference of the Poulier Commission were :-

Examine the anomalies that may have arisen as a result of the implementation of the Salaries Commission Report of 1946 and to make recommendations for their removal.

Recommend to the Government any change in existing salaries, wages and allowances of public employees which were considered desirable with special reference to the need for technical officers of all grades : and also to consider and report on cognate questions such as leave, free passage, holiday passes, houses, station and rent allowances and the provision of Government quarters.

Investigate the adequacy or otherwise of the staff employed in government officers generally and to make recommendations in regard thereto.

Consider the scheme for a unified administrative service.

The Commission did not complete its work until the middle of 1953. While the Commission was still sitting the Government froze the COLA at an index figure of 285. Thus, the COLA stood at 285. From the beginning of March 1953 all Government employees received a salary which was composed of a basic salary. COLA determined by the index number of 285 and the SLA.

The level of pay continued until the new salary structure recommended by the Poulter Commission was implemented in April, 1955.

In 1956, a new Coalition Government came into power and considered request for salary increases. Employees whose salary scales were Rs. 300/ or less p.m. received Rs. 5/- based on the frozen COLA. Index of 285, and the special living allowance was increased from Rs. 2.50 to Rs. 17.50. Those whose salary scales were between Rs. 500/- Rs. 600/- p.m. received some increase but not those drawing over Rs. 600/ p.m.

In 1959, the government appointed a Commission of Inquiry to examine the whole complex of salaries, allowances, conditions of service etc. of public servants. The Chairman of the Commission was Mr. Wilmot Perera. The report was published in two parts, the first in April 1963 and the other in June 1963. An important recommendation was to consolidate the salary of public servants into one salary figure and also to reduce the salary scale groupings to 36 instead of the existing 400 or more grouping of salary scales.

The Government did not accept the recommendations of consolidating salaries, but recommendations regarding Medical Officers, Engineers, C.A.S. Officers, unskilled and semi-skilled employees obtained certain benefits. The inflationary trends were speeding up and the devaluation of the rupee added to the inadequacy of wages. The trade unions protested vehemently and the L. B. de Silva Commission was appointed. The terms of reference were farreaching. The first part of the report was published in 1970. This report created many anomalies in the salaries and Salary Anomalies Committee was appointed to go through the respective claims put forward by trade unions and remove any anomalies.

The report granted in 1970 that the calculation of pensions on the corresponding basis with a consolidated allowance and also an additional allowance to married officers.

Since the L. B. de Silva salaries report the COL was rising at an alarming rate. The protests of the trade unions urged the government to appoint a new salaries commission on 28.7.78.

The increase in the COL was recommended to be set off by proportional increase of cost of living allowance. The commission took indices for 12 months from October 1980 to September 1981 and worked out an average at a surprising low index of 360. It was recommended the Rs. 2/- per point be paid for increase beyond this point of 360. After 1978 salary commission, the Administrative Reforms Committee was set up in 1985 headed by Mr. H. S. Wanasinghe. The terms of reference were farreaching. The number of salary scales were further reduced. The frozen COLA payment was increased to Rs. 260/-. The salary scales and the rate of increments were raised to appreciable levels. Especially the professional grades too received seizable salary increases. The entire ARC recommendations have still not been implemented.

Without implementing of the ARC Report recommendations, the Government appointed the Gamage Committee to draw up salary scales. Whilst the committee was sitting, the Government

took into consideration the rapid increase in the COL and granted an increase of 30 per cent with a minimum of Rs. 500/- p.m. to public servants. The salary scales formulated on the above basis increased the salaries of public servants to reasonable levels. But the increases cannot keep pace with the inflationary tendencies in the country. As in the Private and Corporation Sectors, the Government must pay a per point increase in the COL to public servants. A permanent National Wages Commission should be set up to monitor and recommend emoluments and cadres of public servants.

**TERMINATION OF EMPLOYMENT OF WORKMEN
(SPECIAL PROVISIONS) ACT No. 45 OF 1971
AMENDED BY LAW No. 4 OF 1976 AND
ACT No. 51 OF 1988**

By

S. WANNIARACHCHI
Assistant Commissioner of Labour

“A worker of long standing is now recognized as having an accrued right in his job : and his right gains in value over the years. So much so, that if the job is shut down, he is entitled to compensation for loss of a job—Just as a director gets compensation for loss of office. The director gets a golden handshake. The worker gets a redundancy payment.”—Lord Denning in *Lloyd V. BRASSEY* (1969 IAER 382)

Legislative Policy Objectives

In the year 1971 the government introduced certain Emergency Regulations under the Public Security Ordinance. (Government Gazette 14965/12 of 6.7.1971). The main reason for the legislature to frame these Regulations could be attributed to the socio-economic changes that took place at the time. As a consequence of lack of foreign exchange, lack of raw materials and loss of business the industries were forced to retrench, lay off and terminate employees. Certain unscrupulous employers capitalized on this situation and resorted to *mala fide* terminations, thus causing industrial unrest. At this juncture the government was forced to intervene by placing the Termination of Employment of Workmen (special provisions) Act No. 45 of 1971 in the statute Book in October 1971 with retrospective effect from 21.05.71 which contained the main provisions in the Emergency Regulations. The act provided more security of employment to employees in the Private Sector and also granted speedy relief to employees effected by unjustified termination. Therefore the policy of the Government was to allow industrialists to retrench, lay off surplus labour in *bona*

fide situations and at the same time securing to workmen so affected monitory benefits in order to alleviate financial stress and insecurity. The act removed the right of the employer in the private sector to terminate the services of workmen, on grounds other than as a punishment imposed by way of disciplinary action. The intention of the legislature was not to preclude termination on good grounds but to stop unwanted retirement and lay off.

Non-disciplinary Termination

Under section 2(3) of the act the scheduled employment of any workmen shall be deemed to be terminated by his employer if for any reason whatsoever, otherwise than by reason of a punishment imposed by way of disciplinary action. Thus, termination due to disciplinary action is not outside the scope of the act but a termination which is a punishment imposed by way of disciplinary action is excluded. Therefore termination on grounds of what is commonly referred to as 'misconduct' is not within the meaning of the act.

The court of appeal has held in *Winter Quilts (Pvt.) Ltd. V. Commissioner of Labour* that every protest against working conditions, insufficiency of wages/overtime cannot be treated as an act of insubordination. In *St. Anthony's Hardware Stores Ltd. V. Kumar* it has been held that incompetence is not a form of misconduct.

"It has now been established as a rule of procedure that a *prima facie* case has to be established by an employer if he seeks to claim exemption from the jurisdiction of the act on the ground that the services of a workman were terminated for misconduct" (*Ceylon Labour Gazette*, Vol 25, page 279.)

The amending act No. 51 of 1988 make it compulsory for an employer to give reasons in writing before the expiry of the second working day after the date of termination to a workman in the event of termination of his employment by its employer on disciplinary grounds. The basic reason for this requirement is that there had been instances where the employer terminates the employee for no reason and thereafter look for reasons.

Exceptions to Operation of the Act

Sec. 2(1) is read as follows : no employer shall terminate the scheduled employment of any workman without,

- (a) the prior consent in writing of the workman ; or
- (b) the prior written approval of the Commissioner. A workman not covered by the Act is not a workman within the meaning of the Act. Thus the Act is inapplicable to :

(1) An employer by whom less than fifteen workmen on an average have been employed during the period of six months proceeding the month in which the employer seeks to terminate the employment of a workman. All persons defined as workmen will have to be taken into account when ascertaining the number of workmen. Thus, technical sales representatives are workmen—*Free Lanka Trading Co. Ltd. V. de Mel*. The S. C. has held in *Ceylon Brake & Clutch Linings (Pvt.) Ltd. V. W. L. P. de Mel* that a Managing Director, has two capacities—one as, Director and the other as Managing Director—one Qua Director and another Qua Executive. In *Pakistan international Air Lines Corporation V Yaseen Omar C. A.* held that Burden of Proof was on the dependent to show that it is entitled to invoke the protection of sec. 3(1)(a) by proving that the number of employees was less than 15.

(2) A workman not in a 'scheduled employment' Definition of scheduled employment under Sec. 19 is employment in:

- (a) Any trade in respect of which a Wages Board has been established and includes the work of any workman referred to therein but specifically from the operation of Wages Board decisions. Thus workmen covered by the Wages Board as well as workmen specifically excluded from the operation of such Wages Board decisions provided they are employed in the trade are in a scheduled employment.

- (b) Every shop within the meaning of the Shop and Office Employees' Act.
- (c) Every factory within the meaning of the Factories Ordinance.

Thus employees such as teachers, domestic servants, private car drivers, manual workers engaged in agricultural work are not covered by the Act. In *Free Lanka Trading Co. Ltd. V. W. L. P. de Mel, S. C.* held that sales representatives are in scheduled employment within the meaning of the Shop and Office Employees' Act.

"The test of being a servant does not rest nowadays on submissions to orders. It depends on whether the person is part and parcel of the organization." Lord Denning.

In *Ceylon Brake & Clutch Lining (Pvt.) Ltd. V. W. L. P. de Mel* it has been held that Managing Director is in scheduled employment. In *Kotmale Valley Estates Company of Ceylon Ltd. V. B. J. Driberg, S. C.* held Superintendents and Assistant Superintendents employed in the Tea Growing and Manufacturing Trade are in the scheduled employment within the meaning of the Act.

- (3) The termination of employment of any workman who has been employed by an employer for a period of less than 180 days inclusive of—
 - (i) every day of absence on any ground approved by the employer. (paid and unpaid absence covered as long as it is approved by the employer)
 - (ii) every day of absence due to any injury to the workman caused by an accident arising out of, and in the course of his employment;
 - (iii) every day of absence due to **anthrax** or any occupational disease specified in Schedule III of the Workman's Compensation Ordinance (Chapter 139). (Schedule III is amended by Act No. 15 of 1990—30 more occupational diseases are included);

- (iv) every day on which the employer fails to provide work for the workman ;
- (v) every day of absence due to a lockout or strike that is not illegal, if such days do not in the aggregate exceed 30 days ; and
- (vi) every holiday or day of absence from work to which a workman is entitled, by or under, the provisions of any written law, (weekly or statutory or other holiday such as Poya day will be deemed to be days worked).

In the continuous period of twelve months commencing from the date of employment if such termination takes place within that period of twelve months. A workman employed for less than 180 days within the 12 months period commencing from the date of his employment is not covered under this amended provision. Prior to the amendment there had been considerable confusion as regards to interpretation of the word 'year', particularly in the case of casual employees or persons employed intermittently over a long period. The Employees Council Act No. 32 of 1979 considers an employee who had worked more than 180 days in a year as a permanent employee. The Motor Traffic Act No. 48 of 1959 and the Port Cargo Corporation Act No. 13 of 1958 have considered an employee who has worked at least 180 days during the proceeding 12 months as a regular employee.

- (4) The Government in its capacity as an employer. (G.O.B.U and G.R.B.U. employees too are not covered.)
- (5) Local Government Service Commission in its capacity as an employer.
- (6) Any local authority in its capacity as an employer.
- (7) Any Co-operative Society in its capacity an an employer.

- (8) Any public Corporation in its capacity as an employer. (Companies registered under the Companies Act whose capital is wholly or partly provided by Government are covered under the provisions of the Act.)
- (9) The termination of employment of any workman who has been employed by an employer in contravention of the provisions of any law for the time being in force.
- (10) The termination of employment of any workman who has been employed by an employer where such termination was effected by way of retirement in accordance with the provision of
 - (i) Any collective agreement in force at the time of such retirement, or
 - (ii) Any contract of employment wherein the age of retirement of such workman is expressly stipulated (Amended Act No. 4 of 1976)

The retirement will have to be in accordance with the provisions of any collective agreements or contract of employment. If the retirement is at a age *beyond* the specified date in the agreement or contract, then the exclusion is not applicable. Prior to this amendment even in the case of retirements referred to in the above situations an employer was compelled to secure the prior written approval of the Commissioner to terminate such employees.

Definition of Termination—Sec. 2(4)

Non-disciplinary termination, by the employer include

- (a) Non-employment of the workman in such employment by his employer whether temporarily or permanently, or
- (b) Non-employment of the workman in such employment in consequence of the closure by his employer of any trade, industry or business.

The definition of a termination cover usual type of termination of a workman by his employer and non-employment under a subsisting contract of employment which involves non-payment of wages, such as lay off, lock-out and suspension. Cases of voluntary retirements or resignations are excluded from the operation of the provisions of the Act.

The decision of the S. C. in *C. M. U. V. de Mel* supports the view that the Act was intended to cover only situations of termination of employment by the employer. It was held that workers deemed to have vacated their employment in accordance with Emergency Regulations are not entitled to come under the Termination of Employment of Workmen Act.

Closure does not mean closure of the whole business but includes closing down of any branch or section of a business. Closing of a particular activity can be considered as a closure of a department or a section depending on various factors. Whether it is a separate administrative entity, whether the employees are transferable, whether the profit and loss is capable of being ascertained separately are some of the tests to be adopted in this respect.

Power of Commissioner of Labour

- (a) Where an application for termination is made by an employer to the Commissioner, approval may be granted or refused by the Commissioner in his absolute discretion.
- (b) Commissioner shall grant or refuse approval within 3 months from the date of an application [Sec. 2 (2)(c)]. But the S.C. has held in *Nagalingam V. de Mel* that 3 months rule is not mandatory but directory. The Commissioner is not deprived of jurisdiction after the lapse of 3 months.
- (c) The Commissioner is required to give the employer and workman notice in writing of his decision.

(d) The Commissioner may in his absolute discretion decide the terms and conditions subject to which his approval should be granted, including any particular terms and conditions relating to the payment by such employer to the workman of a gratuity or compensation for the termination of such employment.

(e) Any decision made by the Commissioner on an application made to him by an employer for approval to terminate the services of a workman is final and conclusive and shall not be called in question whether by way of writ or otherwise, in any court or in any tribunal or other institution established under the Industrial Disputes Act. However, this prohibition is subject to the provisions of the Interpretation Ordinance.

(f) Where an employer terminates the scheduled employment of a workman in contravention of the provisions of the Act, such termination shall be illegal, null and void and is of no effect whatsoever. A workman terminated without the prior approval of the Commissioner could make a complaint under section 6. On a such complaint Commissioner is empowered to restore "*Status Quo Ante*" and order reinstatement with back wages and other benefits he would have been entitled to, if his services had not been so terminated. This flows from sec. 5 of the Act. In the case of a closure the Commissioner is empowered to award compensation and other relief as an alternative to reinstatement.

In Supreme Court case *Moosajee Ltd. V. Eksath Engineeru Saha Samanya Kamkaru Samithiya* it has been held that it is within the Commissioner's powers to make his order under sec. 6 even when there is a question of who the employer is and whether there was a termination to subjectively adjudicate.

(g) Where a workman is terminated in contravention of the provisions of the Act in consequence of the closure of any trade, industry or business, the Commissioner could order

compensation as an alternative to the reinstatement and any gratuity or any other benefit payable to workman by employer.

- (h) Amending Act No. 51 of 1988 (sec. 6 B (1)) provides that the Commissioner will not be entitled to make an order under sec. 6 or 6 A unless the complaint/application was made to the Commissioner within 6 months of the termination.

Sec. 6 B (2) does not nullify the effect of Court of Appeal decision in *Ceylon Tobacco Co. Ltd. V. Illangasinghe and others* since it is Sec. 31 B (5) of the Industrial Disputes Act which prescribes that where relief has been sought elsewhere, a workman is precluded from applying to a Labour Tribunal.

- (i) The proceedings at any inquiry held by the Commissioner may be conducted by the Commissioner in any manner, not inconsistent with the principles of natural justice, which to the Commissioner may seem best adapted to elicit proof or information concerning matters that arise at such inquiry. (sec. 17)

"Although one who is entitled to the protection of the rule of '*Audi Alteram Partem*' is prima facie entitled to put his case orally, yet, in a number of contests, the rule will be satisfied by an opportunity to make written representations to the deciding body" (NLR 79 - page 505).

In *Kotmale Valley Estates Company of Ceylon Ltd. V. B. J. Drieberg* it was argued that it was against principles of natural justice for the Commissioner of Labour who had not held the inquiry to make the order. The Court held that principles of natural justice were not disregarded in this instance.

In *Kusumawathie V. Aitken Spence & Co. Ltd.* the petitioners contended that even in the absence of a specific statutory requirement to give reasons for the order, the Commissioner has to communicate his reasons in compliance with the principles of natural justice. The Court held that when required by Court exercising judicial review, reasons will have to be disclosed.

(j) The Commissioner is in charge of the general administration of the Act. He may delegate his power, function, or duty conferred or imposed on him under the Act to any officer of the Labour Department.

(k) The Commissioner has powers to inspect, call for returns, summon witnesses, hold inquiries, etc.

Compensation

Even where the retrenchment is lawful and justified the payment of compensation is recognized and awarded. In England under Employment Protection (Consolidation) Act 1978, the amount of compensation payable on redundancy is specified. The Industrial Disputes Act of India provides for payment of compensation due to retrenchment and closure of an undertaking, at the rate of half months salary for each year of service. In Sri Lanka there is no specific compensation formula stipulated by law. Quantum of compensation is decided on the merits of each case assessed on the evidence placed before the authorities.

When awarding compensation "flexibility is essential. Circumstances may vary in each case and the weight to be attached to any particular factor depends on the context of each case" —per Sharvananda J. in the Caledonian (Ceylon) Tea and Rubber Estates Ltd. *V.* Hillman.

"As regards compensation for loss of career, the position in Ceylon is very different from that obtaining in U.K. as the opportunities of employment in this country are far less than in Britain and, there is no unemployment relief" —Hillman's case.

Penal Provisions

(a) Sec. 2 (3) — Any person who fails to comply with any decision made by the Commissioner under sec. 2(2) is punishable with a fine not exceeding Rs. 1,000/- or imprisonment for a term not exceeding 6 months or both.

(b) Sec. 7 — Failure to comply with an order under sec. 6 or 6 A is punishable with imprisonment for a term not less than 6 months and not exceeding 2 yrs.

- (c) Sec. 6A(2) – Where the employer fails to comply with an order under sec. 6A(1) of the Act, the money could be recovered on a written petition by the workman to the Magistrate. (Trade union is not empowered to make this written petition. Its rights are confined to appearances on behalf of the members in proceedings any inquiry held by the Commissioner (Sec. 17 A).
- (d) Sec. 8(1)(a) – On the Conviction of an employer for an offence under sec. 7, he is liable to pay a fine of Rs. 50/- for each day on which the failure is continued.
- (e) Sec. 8(1)(b) – On the conviction of an employer for an offence under section 7, such employer is liable to pay wages and benefits specified in the order made under Sec. 6 and back wages and other benefits or sum of money specified in the order made under Sec. 6 A.
- (f) Sec. 14 – Any person who fails to provide information, refuses to produce any register or record required by the Commissioner and hinders or molests the Commissioner in the execution of his duties is punishable with a fine not exceeding Rs. 1000/- or imprisonment for a term not exceeding 6 months or both.
- (g) Sec. 9—Where any offence is committed by a body of persons, every director and officer of a body corporate, every partner of a firm, every officer of a trade union, the president, manager, secretary and every officer of a body unincorporate shall each be deemed to be guilty of that offence.

Concluding Remarks

We have noted the special procedure which has been prescribed by the Termination of Employment of Workmen (Special Provisions) Act 1971 for the settlement of disputes relative to non-disciplinary terminations. Trade unions have by and large favoured the machinery as a safeguard against arbitrary retrenchments and terminations on non-disciplinary grounds. The principal opposition to this procedure has come from employers.

In the case of redundancy, it has been pointed out that an employer who is in serious financial difficulty due to loss of business etc. has to keep its redundant staff in employment until an order is given. In the case of lay off, by the time a inquiry is over the need for lay off has passed. It must be pointed out that many instances of delays in the disposal of applications are due to learned disputations and technicalities. A further criticism of this procedure is the absence of reasons for orders made by the Commissioner.

It has been emphasized that the relevance of the existing legislature provisions under the T. E. Act. should be re-examined in the context of policies of economic liberalization and open economy. It is pointed out that these provisions were enacted in a different economic context where employment opportunities and mobility of labour were substantially less.

There is a strong move by some to get this piece of legislation deleted from the Statute Book. Others are questioning whether in the wake of today's economic liberation and open economy policies the provisions of the Act have themselves become redundant or its usefulness evaporated.

There is no doubt that impact of the Act have been diminished to a great extent as the applications and complaints have greatly reduced during the last 10 years. "Peopalization" usually associated with the policy of open economy tends to minimize State's role in business activities. Employees of peopalized enterprises will no more be sheltered by the State as far as the job security and job losses are concerned. Hence, to minimize the social hardship out of any possible retrenchment/depletion of manpower strength, it is the duty of the Government to provide appropriate safety measures. In this context significance of the procedure prescribed by the Termination of Employment of Workmen (Special Provisions) Act is felt more than ever before.

NATIONAL WORKERS CONGRESS—ALL CEYLON FEDERATION OF FREE TRADE UNIONS

By

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All Ceylon Federation of Free Trade Unions

The National Workers Congress (NWC.) was founded in 1948, primarily to serve the Plantation Sector; subsequently it was expanded to cover all other Trade Sectors of workers, as well. Its main vision was to keep Trade Unions Free, Democratic, Independent, and Non-Political. With this mission in view The All Ceylon Federation of Free Trade Unions (ACFFTU) was founded in 1952. The purpose was to open out to all other Trade Unions to federate and work together to achieve these goals for the upliftment and development of the working class.

The founders of these two movements were the late veteran, Mr. W. K. Wijemanne from Kalutara, its Founder President and Mr. A. Lodwick presently its Secretary General.

The National Workers Congress is internationally affiliated to the brotherhood of Asian Trade Unionists, Philippines and the World Confederation of Labour—Belgium.

Our Leaders and Representatives attend regular Seminars, Conferences, conducted by the above International bodies in various countries to strengthen the Trade Union Organisation.

In keeping with the present trend, our Trade Union is training our leadership and membership on socio-economic factors and not strictly adhering to Trade Unionism only.

These unions regularly conduct worker educational programmes at different levels—grass root level, leadership level and motivator level and have a team of trained competent personnel

to represent workers at Labour Department Conferences, Inquiries and also appear before Labour Tribunal Courts and Industrial Courts.

Presently we are concentrating on strengthening our Youth Organisation and Women's Council.

We have organised workers in the Free Trade Zones at Katunayake and Koggala and have our branch Trade Union Offices in these areas as well to service workers. We have a Hostel to accommodate 30 working girls at Katunayake and a "Friendship House", to meet and assist workers in distress on workers' rights issues and serve as a general Counselling Centre. We hold educational seminars for the Youth and Women and conduct classes in Industrial Sewing, Dress making, Embroidery, etc. We also conduct vocational Training Programmes for youth in Welding, Electrical House-wiring, English, Sinhalese and Tamil Language and Typewriting Classes at our Branch Offices, in Dehiwela, Matugama, Polgahawela, Hatton and Beruwela.

Trade Unions in Crisis?—Some Thoughts

Structural adjustment programmes negotiated by Governments with the International Monetary Fund and with the World Bank have been increasingly common experience of developing countries over the last ten years. Since the collapse of centrally planned economics behind the iron curtain, IMF Policies have become the panacea, and are implemented in a wider range of countries. These programmes have always had the effect of reduced living standards, often entailing reduced real wages, and increased unemployment. It is not surprising therefore the response of the Trade Unions to structural adjustments has in most cases been one of opposition.

The policies recommended by the IMF/World Bank as an unfailing remedy for the ailing economies of the Third World countries have in fact widened the gap between the rich and the poor. With currencies adjusted to reflect the true market value, state budget brought in line with revenues, subsidies which distorted domestic price levels being removed, overstaffed bureaucracies being slimmed down to reduce costs, free market economy

being allowed, permitting private enterprise and competition, state enterprises being sold to private entrepreneurs, the price levels rose and cost of living reached new horizons making even essential goods beyond the reach of the poor. Local industries which could not withstand competition from cheap, inferior goods from abroad closed down. Inferior and unessential goods flooded the market and many a local entrepreneur found it economical to close down his factory and import the same article and market it. The result was an increase in unemployment, fall in income levels, and an escalation of prices due to the local currency being adjusted to reflect the market value. Unemployment arose along with prices. The gap between the rich and the poor widened. As Willy Brandt said 'Where hunger rules peace cannot prevail'. 'He who wants to ban war must ban poverty'. The events of 1989 bear testimony to this. Principles of democracy were relegated to oblivion. The fundamental principle of democracy is human participation, but participation is not possible under conditions of poverty. Satisfying basic needs and education are decisive prerequisites to participation.

Trade Union rights also suffered under the various fiscal and export concessions granted to investors engaged in exports. Trade Union officials were barred from entering the Free Trade Zones and any worker suspected of organising a Trade Union was surreptitiously prevented from entering the zone. The right to bargain collectively was thus made impossible, while emergency regulations promulgated made strikes illegal in export-oriented industries. A conservative *laissez faire* model of the economy seems to be promoted, one based on a low wages path, to growth obtained in many cases by stifling labour rights and introducing legislation to weaken trade union rights. Privatization or peopling had resulted in a number of employees losing employment. The compensation paid to them is hardly adequate to sustain the displaced employee and his family for the rest of his life, as the chances of his finding employment are remote with more than 17 per cent of the population already unemployed. Privatization policies as presently implemented are too often devoid of any proper evaluation of the roles of public and private sector. Historical experience demonstrates that the most successful economies have been those where public and private sector take complementary

roles. Many services provided by the public sector fulfil roles which the private sector is not motivated to provide such as Social Service assistance to the poor in times of calamities, investments with long term profitability in areas like education, transport or health. Moreover, privatization may entail the loss of domestic control of strategic sectors at the same time as reducing the space for national capital and strengthening the position of transnationals. The private sector has no monopoly of efficiency indeed where privatization leads to creation of monopolies and oligopolies, increased prices and increased repatriation of profits from the country will be the main result. Where privatization takes place provision should be made to facilitate a process of worker control or co-determination as in Germany.

An important aspect or feature of our Trade Unions is their weakness. The major Trade Unions in our country are dominated by politicians and human rights are often sacrificed for political opportunism. The rule that any seven persons can form a Trade Union has resulted in the proliferation of trade unions and there are today over 1000 unions for an organised work force of one million workers. A large portion of our work force are unorganized and are prey to exploitation. The Trade Unions' coverage of informal and rural sectors is an important means of empowering these vulnerable groups of workers and giving them the protection and avenues for development that they desperately need. It is an essential means of empowering the Trade Unions themselves through expansion of their membership and diversification of their approaches to work.

There is considerable scope for trade union work among the unorganized workers. The Trade Unions would become more representative and thus more democratic, thereby strengthening their capacity to make a more significant contribution to democratic process.

There is also an urgent need for Trade Union unity. Divided we are, our finances are poor and our capacity to organize the working class and protect them is poor. Resources are crucial but at the same time trade unions should avoid getting from the State lest they become obliged to the State.

It is also a matter of regret that trade unions have failed to establish common strategies to effectively cope and deal with current changes. Lack of trade union unity, constraints on financial and administrative resources hamper trade union activity. There is also a growing trend of sub-contracting of work by employers to avoid complying with the Law. Most of the sub-contractors do not pay the minimum wages, nor do they contribute to E.P.F. or E.T.F. Factories are located in nooks and corners and there is no security of employment. Workers are at the mercy of the employer and they come and go at their mercy. They hardly complain for fear of not getting re-employment. This is another sphere where the trade union organisation is weak. Unions need to re-examine their *modus operandi* according to the changing scenario. New approaches should be developed in order to achieve the best results for workers. The concept of tripartism should be developed as a means of meeting the challenges of structural adjustments. Also there is a need for new approach to unity and solidarity in order to achieve the level of success. Small unions cannot continue to operate as single entities. They should get together at least on common issues. Unions should become more involved in adult literacy programmes in order to improve the literacy and numerous skills among members. Education programmes should be revamped and be geared towards the whole individual and prepare workers to meet the challenges of times.

Programmes should be expanded to include education on the world economy and the effects of the debt crisis. Special training for union negotiators, administrators and executives should cover contemporary political, economic and social issues like trading blocks, economics, worker rights, trade union rights and his obligations, as an employee. In order to improve their skills, it is necessary to include areas such as interpreting financial information, job evaluation, work study, work organisation, productivity bargaining, planning and management of social security schemes. There should be in-house training for trade union staff members. Links should be established with media personnel in order to build public support. Unions should also get involved in community projects. Training in self-employment projects would help the workers to exist during lean times. It is also necessary for trade unions to deviate from traditional methods

like collective bargaining, wage agitation to non-traditional methods such as organising and participating in socio-economic ventures in order to improve the quality of its members. More attention must be paid by unions to train and retrain their members in the new vocations as the world is changing fast. These concepts of supporting self-help activities, socio-economic ventures is emerging as a new paradigm in fighting mass poverty. The Janasaviya concept is an attempt towards it.

Finally, economic development depends upon respect for democracy and human rights. Democracy alone provides the guarantee of accountability which is vital for development. The Trade Union Movement, if they are united, can act as a watch dog of this democratic right. Freedom of association, the right to organize and bargain collectively are inalienable human rights and the Trade Unions should be in the forefront to safeguard them. It is important that Trade Unions are given their due place and their rights safeguarded, for marginalization and disillusionment with established institutions will be a fertile ground for extreme nationalist and racist ideologies.

LANKA ESTATE WORKERS' UNION—A UNION BORN OUT OF MILITANCY

By

VIJAYA KUMAR

President, Lanka Estate Workers' Union

The Lanka Estate Workers Union, founded in 1939, is the oldest plantation trade union in the country. Although trade unionism in the plantations began in 1931 with Natesa Aiyar's All-Ceylon Estate Labour Federation, AELF the Union could do little to ameliorate the working conditions of plantation workers as it was formed during the economic depression. The AELF could not prevent the 25-30 per cent wage reduction imposed by the planters or the retrenchment of workers seen in the early thirties as the depression had caused a surplus of labour in the plantations. The AELF had, for all purposes, ceased to exist by 1933.

The Lanka Estate Workers' Union (LEWU, formerly the Ceylon Estate Workers' Union) was formed under the auspices of the Lanka Samasamaja Party (LSSP) which had been in the forefront of the urban workers' trade union struggle and had established itself as its leader by 1939. Although the LSSP had been mobilising support among plantation workers since its formation in 1935, it was only with the end of the labour surplus and the more favourable political conditions of 1939, that trade unionism began to reappear in the plantations.

During 1937, the LSSP organised several meetings in the plantations addressed by the Indian nationalist, Kamaladevi Chattopadhyaya. It was at one of these meetings that the Party introduced one of its supporters, a white planter named Bracegirdle whose speeches against the planters and the British Raj irritated the colonial government which issued an order of deportation against him. The Party embarrassed the colonial government by successfully hiding Bracegirdle until he appeared on the platform of a meeting organized by the LSSP to protest against the deportation order.

Towards the latter half of 1939, a wave of spontaneous strikes spread throughout the plantations. The LEWU intervened and provided the leadership to these strikes. The Mooloya estate strike led by the LEWU unfortunately culminated in the shooting of a worker, Govindan, in January 1940. This was the first instance of a shooting of a worker during a trade union dispute. Agitation both within the State Council in which the LSSP was represented and outside led to the appointment of a Commission of Inquiry into the incident. Dr. Colvin R. de Silva, a leader of the LEWU appeared before the Commission and was able to convince the Commissioner that the shooting could not be justified in law.

After the Mooloya shooting, the strike spread throughout the plantation areas. Basic demands for higher wages and better conditions of work were formulated and the struggle was led by the LEWU. On Wewesse estate, the workers even set up their own elected council and was able to force the Superintendent to agree to manage the estate in consultation with the Workers' Council. An armed police party which entered the estate was disarmed by the workers who sent them back with receipts for the confiscated arms. The rifles were subsequently returned on the orders of the Workers' Council.

By 1942, the LEWU and the Ceylon Indian Congress (which subsequently split into the Ceylon Workers' Congress and the Democratic Workers' Congress) dominated the estates. The LEWU was feared for its militant espousal of the workers' cause by both the planters and the government. The colonial government felt that the agitational politics of the LSSP and the LEWU could not be tolerated and the Party was banned on April 17, 1940.

Although the banned LSSP was able to participate in the strikes of urban workers during 1941, the ban seriously undermined the party's activities among plantation workers. The banning of the LSSP allowed the Ceylon Indian Congress (CIC), which was led exclusively by trade unionists of Indian origin who closely identified themselves with the Indian National Congress and its leaders Nehru and Gandhi; to dominate the plantation labour movement - a dominance which is even today enjoyed by the Ceylon Workers' Congress (CWC).

When the ban on the LSSP was lifted in 1945, the Party was quick to re-establish itself as the leader of the urban trade union movement. Its activities underground while being banned which included the organization of strikes, escape to India of its leaders from prison and participation in the Indian nationalist struggle held the imagination of the working class of the country.

But the LEWU, although once again active in the plantations was no longer the dominant trade union in the plantations. The CIC had come to dominate the field and through its leadership, consisting exclusively of persons of Indian origin was able to maintain its hold on the plantation workers.

The Parliamentary elections of 1947 saw the mobilisation of plantation labour votes against the UNP by the left and the CIC. The UNP government through its Citizenship Act of 1948 disenfranchised and made stateless these workers, the large majority of whom had permanently settled down in Sri Lanka. Both the left and the CIC mounted a bitter campaign against the Act both within and out of Parliament. There was however no enthusiasm for a general strike of plantation workers which was perhaps the only weapon which could have been successfully used against the Act. The lack of militancy amongst the leadership of the dominant CIC, the failure of the urban General Strike organized by the left hardly a year before, and the fear that the strike would lead to increased racial tension in the country could, perhaps, have contributed to this decision.

While the Sirima-Shastri pact reduced the number of stateless plantation workers by repatriating some and granting citizenship to others, it is ironic that it was left to the present government dominated by the UNP, which had originally made the workers stateless, to finally remove statelessness by accepting the remaining stateless persons as citizens. It is indeed strange that the workers who were deprived of their vote by the UNP have been voting for the UNP as the party that have given back their lost rights.

During 1970 to 1975, the former President of the LEWU, Dr. Colvin R. de Silva was a member of the Cabinet of Ministers and held the portfolio of Plantation Industry. During this period, in consultation with the Union, he was able to make several changes to improve the lot of the plantation worker.

Archaic laws like those enabling Superintendents prevent trade union representatives enter estates or hold meetings were abolished. A law for the take-over of estate schools was passed in 1975 in an effort to improve the education of estate children. A scheme to replace estate line rooms with modern twin cottages was initiated. The innovative concept of paying an allowance to estate workers based on the export price of tea, so that estate workers could share in the prosperity of the tea trade was introduced. Above all, he was able to pressurize the Government into nationalising Company owned estates in 1975.

Trade union activity however generally decreased after July 1980 when emergency powers were used by the government to dismiss 40,000 employees who struck work demanding increased wages, leaving the militant trade union leadership in disarray. The threat of the further use of emergency powers stifled trade union activity since then. A joint Union Committee convened by the President of the LEWU, Dr. Colvin R. de Silva, consisting of the major unions including the dominant CWC was however able to win higher wages and equal pay for male and female workers by organizing a general strike in 1984. Although the strike was opposed by the UNP plantation trade union, the Lanka Jathika Estate Workers' Union (LJEWU), its members joined the strike and the Government was forced to yield the demands.

However similar action to prevent the transfer of nationalized estates to private management companies did not succeed because both the CWC and the LJEWU campaigned in support of the transfer and as part of the deal, workers were promised ownership of the line rooms which they occupied. Furthermore, the three months preceding the transfer in June 1992 saw some of the worst drought conditions ever and estate managements were hard put finding work to offer and the workers who were short of money were in no mood to strike.

The LEWU has however been in the forefront of the struggle to prevent the new management companies attacking the hard-won rights and privileges of the plantation worker and has successfully prevented the attempts of some companies to increase norms and change other conditions of work to the detriment of the worker.

The Union believes that in the years to come its task would be to mobilise workers in the struggle for the transfer of estates from the new private management companies to management councils under workers' control, for the payment of monthly wages and incremental scales as paid to workers in other sectors and for the amelioration of living conditions in the plantations.

THE CEYLON ESTATES STAFFS' UNION

By

NATH AMARASINGHE

General Secretary, the Ceylon Estates Staffs' Union

The Ceylon Estates Staffs' Union is one of the oldest trade unions in Sri Lanka having been founded over 10 years back. Its members are composed of all categories of staff employed on tea, rubber and coconut estates, livestock farms and other agriculturally oriented institutions. The total strength of staff on estates spread out island-wide is estimated to be in the region of 22,000 to 25,000, the vast majority of whom are members of the C.E.S.U.

The Union has twelve branches in the plantation districts to cater to the membership, with the Head Office located in Colombo.

Over the period of years, in its efforts to uplift the working and living conditions of its members, it had to encounter trials and tribulations of diverse nature.

During the period when the estates were owned and managed by foreigners, when even the wearing of a tie and coat on a sabbath day was frowned upon, the struggles were many and varied. The sacrifice made by our members during those dark days cannot be recounted here in detail in a brief essay of this nature. Suffice it to say that some of them have even lost their lives in the performance of their duties.

The contributions made by such leaders as A. K. Velupillai, I. B. Jayasena, E. C. Malhamy and others of their ilk are a legion in the history of the C.E.S.U.

Whatever fringe benefits and facilities our members enjoy today by way of housing, water service, electricity, working hours, extra pay for extra work, leave facilities, medical schemes, etc., were not given to us on a platter by the exploiting employer class but were achieved through sheer determined and hard struggle over a period of decades.

In its efforts to uplift and sustain the well being of the working class, the Union did not confine itself only to the interest of its own members but had always extended moral, physical and financial support to the other plantation trade unions in particular and to all trade unions in general.

The Ceylon Estates Staffs' Union is not affiliated to any local political party, with a view to maintain its freedom and function independently on any given issue whether parochial or national. Needless to say this freedom has sustained us very well over the years.

Of course, like any other citizen, our members who must be belonging to various shades of political thought are free to exercise not only their franchise but also actively participate in any political activity of their choice. The Union does not interfere with their freedom. We do not brainwash them.

We also take pride in the fact that ours is not a monopolistic trade union. Our officials, from the President downwards are elected once in two years by the general membership. This has helped new blood and new thoughts to filter into the Union towards its development. Many have come and many have gone and many more will come in the future too.

The structural functioning of the Union is divided broadly into two sections, namely, (1) Organization *cum* Administration and (2) Dispute handling.

The first one is composed of elected officials who do a honorary service to the Union whilst being full-time employees on estates. They concentrate on policy and financial matters, organization of branches and general administration of the Union. The second one is composed of salaried employees who do a full-time job in resolving the disputes of members with the management, attend discussions, conferences, Labour Tribunal cases and allied matters. As of necessity they are based in the outstations as Regional/District Secretaries. They do a yeoman service to maintain industrial harmony in the plantations.

This article will not be complete if we omit to mention our everlasting gratitude to our forbears who introduced the trade union concept to our country.

NATIONAL UNION OF WORKERS

By

P. V. KANDIAH
General Secretary, (NUW)

The National Union of Workers was founded on 1st May 1965 by the late Mr. V. K. Vellayan with its principle aim to serve the plantation workers in Sri Lanka and to educate them to be responsible and responsive in their trade union activities and to the solution of their day to day problem.

The National Union of Workers holds the firm view that any workers organisation should be headed by a worker in order to render its best services to the workers. As a matter of fact, the National Union of Workers has succeeded in electing its Presidents who had been the workers of the tea plantations throughout its history from 1965 onwards.

In 1985, the National Union of Workers achieved another milestone in this direction of thinking as it succeeded in electing a woman-tea-worker as one of its Vice Presidents and women workers to the Executive Committee.

We believe, more trade union activities among the women workers, in the future which may result better progress in creating more women leaders among the plantation workers in Sri Lanka.

Mr. Vellayan as soon as he formed the NUW, what he first did was to educate the estate workers through seminars and lectures. Though he did not organise this in a big way, he started with one day and two day week end seminars. He got the assistance and co-operations from the Friedrich Ebert Stiftung to conduct these seminars successfully. We still continue to conduct our own seminars for our members.

We can proudly say that seminars of unions in the Plantation Sector were organised and conducted only after 1965 in which year the NUW was formed. We paved the way for other unions to think of seminars.

It has been the conviction of our union that gratuity is distinct from Provident Fund. We took up the position that gratuity is paid to a worker for service and it ought not be mixed up with Provident Fund to which both employer and employee contribute.

In 1967, a Collective Agreement between the CWC and the CEEF emerged. This agreement was heavily weighted in favour of the employer and thus the agreement had to face very severe and vociferous criticisms from our union.

The above agreement stipulated optimum age limit and optimum period of service under an employer for payment of gratuity.

As a result of this iniquitous scheme of gratuity payments, the plantation workers were prevented from enjoying the benefits of their gratuity until a male worker reached his 55th year and in case of a female worker, 50th year irrespective of the reasons or conditions under which he or she retired.

Our reaction to this reactionary Collective Agreement was not confined only to opposition and criticism, but we also had to fight a legal battle in the Labour Tribunal at Hatton. The plaintiffs being young workers, had to retire prematurely before reaching the age of the stipulated retiring age due to repatriation under Srma-Shastri Pact.

Late Mr. Vellayan, founder of NUW walked out of the Hatton Labour Tribunal premises, triumphantly after arguing out the case and getting the order in favour of the workers who retired prematurely. This victory was not only for the benefit of the workers from Invery Estate, Dickoya, it was a victory to the entire six lakhs of the plantation workers in the plantation industry.

The learned President ordered two weeks wages or fourteen days wages for pre EPF period and seven days wages for post EPF period.

We not only filed L. L. cases on behalf of workers who were prematurely retired but also on behalf of hundreds of workers who were affected due to the Mousakelle Dam during same period.

Workers who were affected as a result of the Mousakelle Dam were asked to leave their estates without any payment for their past services and compensation for loss of employment. Employers found employment only on other estates.

The L. T. President ordered gratuity and three months wages for loss of employment. NUW filed these cases on behalf of workers from Brownlow, Adamspeak, Bunyan and Forress estates in the Maskeliya electorate.

It is only after these cases all L.Ts followed the same procedures of granting gratuity to estate workers who went before the Tribunals for relief.

The Employers appealed to the Supreme Court against these orders. The appeal came up before a full bench of five judges.

This judgement paved the way for a legislation and was introduced by the UNP Government in 1983 to the effect that a worker who had been in employment under an employer for a period of not less than five years at the time of retirement or cessation of employment, such worker was entitled to a gratuity calculated at the rate of 14 day's wage for each year he had been in the service of that employer. This piece of legislation was one of the few progressive ones framed with a view to helping a worker during the period of his retirement.

In regard to wage increase too, if one looks at the history of plantation workers prior to 1965, there were no demand or struggle for any wage increase by the plantation unions.

It is the NUW in 1967, demanded for a monthly guaranteed wage as the workers are paid for the days they work, unlike in other industries or establishments the entire family members have to earn a wage.

NUW along with other unions called out members for token strikes to draw the attention of the Government and employers for higher wage.

NUW have been also agitating from the inception for better housing, medical facilities on estates and pleading with the successive Governments for a complete transformation of the present system of barrack type houses for it has not been conducive to promote community life and also to take over the estate medical services by the state.

NUW throughout the 28 years did not fail to join hands with other plantation unions to achieve the just demands of the plantation workers.

NUW gives scholarships to its members' children and also runs sewing training centres at Hatton, Maskeliya and Bogawantalawa for women workers and girls free of any fees.

ALL CEYLON UNION OF TEACHERS

By

J. A. GAJANAYAKE
General Secretary, (ACUT)

All Ceylon Union of Teachers (ACUT), founded in 1920, is the oldest Teachers' Organisation in Sri Lanka. It was formed with the amalgamation of Four Teachers' Associations from Colombo, Kandy, Galle and Jaffna. Its Membership came from the Assisted Non-State, Denominational Schools under Buddhist, Hindu, Catholic, Christian, and Muslim Managements. It is so even today. They come from the Aided and Unaided, Non-State, Denominational Private Schools. All of them established under the provisions of Education Acts of Parliament.

When ACUT was formed 73 years ago, teachers in these Schools were entirely at the mercy of the Managers and lacked practically all the facilities and rights they now enjoy through the efforts of the ACUT down the years. Our efforts to better the conditions of service of teachers in the Non-State Denominational Schools have been so successful, that we can now state with justifiable pride, and without any fear of contradiction, that the conditions of service and rights enjoyed by these teachers compare very favourably with the conditions of service of teachers in the State Schools. They need not serve the whims and fancies of Politicians and State Bureaucrats. Ours is a non-transferable service, except within the Management. We enjoy the same Salary Scales and Leave Rights as the teachers in the Government Schools. On retirement we are entitled to a Commutation of Pension and a Monthly State Pension under the School Teachers' Pension Act of Parliament. In addition we receive a Gratuity from the Employer-Manager under the Gratuity Act No. 12 of 1983, a facility not available to Teachers in the Government Sector.

ACUT was a Founder Member of the World Confederation of Organisations of the Teaching Profession (WCOTP). As a matter of fact, our link with a World Teachers' Organisation dates

back to 1936, when on the recommendation of then colonial rulers, ACUT was invited to join the World Federation of Teachers. Our delegates attended the Annual Sessions of this World Organisation held in Tokyo, Japan in 1937. At the 34th Assembly of Delegates of WCOTP in January 1993 in Sweden, this World Body amalgamated itself with the another World Body of Teachers, i.e. International Federation of Free Teachers Unions (IFFTU) to become EDUCATION INTERNATIONAL, of which ACUT became a Charter Member. This new World Body of Teachers consists of 210 National Teachers, Organisations in 114 countries of the World representing 18 Million Teachers. It enjoys consultative Status 'A' with ILO, UNESCO and other UN Agencies.

THE WORKERS IN NEGLECT—THE RURAL SMALL FARMERS IN FOCUS

George Mendis,
Vice-President, WEAL

The Worker Educators' Association of Sri Lanka is a rare example of an integrated Unit, unique in this part of the world and comprising Trade Union leaders of various colours representing workers in the industrial field in particular, officials in Labour Departments, Worker Educators in the private and public sector helping to improve the status of workers by upgrading their know-how and skills, academically and technologically. It is our desire to highlight the work of the *unorganized industrial workers of the past* and also bring to the stage *the unorganised workers of today—the Small Farmers*.

The Workers of the Past—To commemorate the effort of the workers and the non-formal and ad hoc worker organisations 100 years ago and subsequently, WEAL had thought it fit to bring into focus para-Trade Unions of the past and also the Worker-leaders who even sacrificed their positions and suffered police and jail sentences in the cause of other fellow workers :

The Printers' Strike in 1893—with William, the mechanist, who was jailed.

The Laundry Workers who struck in 1896.

The intelligent Carters who struck in 1906 by-passing the order not to sit, by standing on the yoke of the cart.

Yaka John, the Railway Fitter and Hamban William, the Railway Workers around 1912 and Marshall Appuhamy, the Leader-Carpenter.

Last but not the least mention has to be made of A. E. Gunasinghe, the non-worker, worker-leader, the pioneer in the Trade Union Movement in 1923. However, we have to recollect with gratitude the great service rendered by Dr. Pinto and Dr. Buultgens in the 1880's who fought for the workers in despair and in neglect.

The Present day Workers in the Agricultural Sector

I am highlighting the farmers, as Sri Lanka has been and is primarily an agricultural country comprising 30,000 villages ; of these nearly 75 per cent are rural-based ; those involved are farm-workers on wage labour like those in the estate sector and others in self-employment, especially the small farmers who own less than a hectare of land or are tenant farmers or landless squatting on crown land and involved in chena cultivation.

(In a study done by the writer for the UNDP of the Labour Force in '80/'81, it was found that 81% of the total labour-force of 4,534,069 was from the rural sector—it was revealed that 84.7% of the economically active population (the non-dependent young and old) were employed at the time—The small farmers are an appreciable lot in the agricultural work-force)

The Small Farmers

The small farmers who range about 75% of the rural labour force are the most neglected and disorganised worker-lot. Comparably those in estate labour sector are organised very well by the effort of the Trade Unions, especially by three of the most powerful Trade Unions in the country. Not only are interest and favours shown by Trade Union cum political V.I.P.P., but even Foreign Agencies have rendered service in financial and other resources to the plantation workers. Yet the small farmers, who are sometimes in a more disadvantaged situation in especially in the 7500 *purana* (old) villages in the country, living in remote areas with very little facilities in water, nutrition, health, transport, postal, education, banking and marketing and also living in fear of the wild animals who roam and rule the land, are forgotten. Of the registered Trade Unions numbering about a 1000, about 100 are running steadily in a powerful well-organised system — even the latter has not centered adequate attention on the plight of the small farmers.

The ILO had centred an interest from about a decade back on a project to improve the lot of the rural workers, especially those in the SAARC region, but the impact is still to be seen.

Some of the efforts done so far to organise the small farmers in the dry zone are being cited as first hand information by the writer's involvement.

We have the example of the work done in the 100 old villages in Tantirimale in the North Central Region and in the 50 old villages in Walliammara in Buttala, Uva Province wherein the small farmers were organized into a Wev-Sabha on the incentive to restore the old small reservoirs/tanks. The farmers and families did the spade work in identifying the old tanks in disuse, planning their restoration, listening and getting educated through expertise and financial subsidies given as partners by external patrons to collect and store the rainwater for irrigating the paddy fields and for use of water for domestic purposes.

The National Freedom from Hunger Campaign Board spearheaded the effort to get the farmer families together in early 1980s and was supported by the University of Colombo, Institute of Workers' Education in conducting Worker-Education classes, especially in management and the earth sciences for the farmers, held both in the villages and in the university.

The philosophy of relying on the resourcefulness and intelligence and grassroot experience of the farmers was followed by adaptation of an ancient proverb appropriate to the village climate. The Worker Educators went to the target villages in deference to leadership of farmers and in recognition of their capability and ability paying justice to :

“Go to the Farmers

Live among them

Learn from them

Start with what they can and want

Build on what they have

When their task is accomplished

the people all remark

We have done it ourselves ! ! ! ”

Conclusion

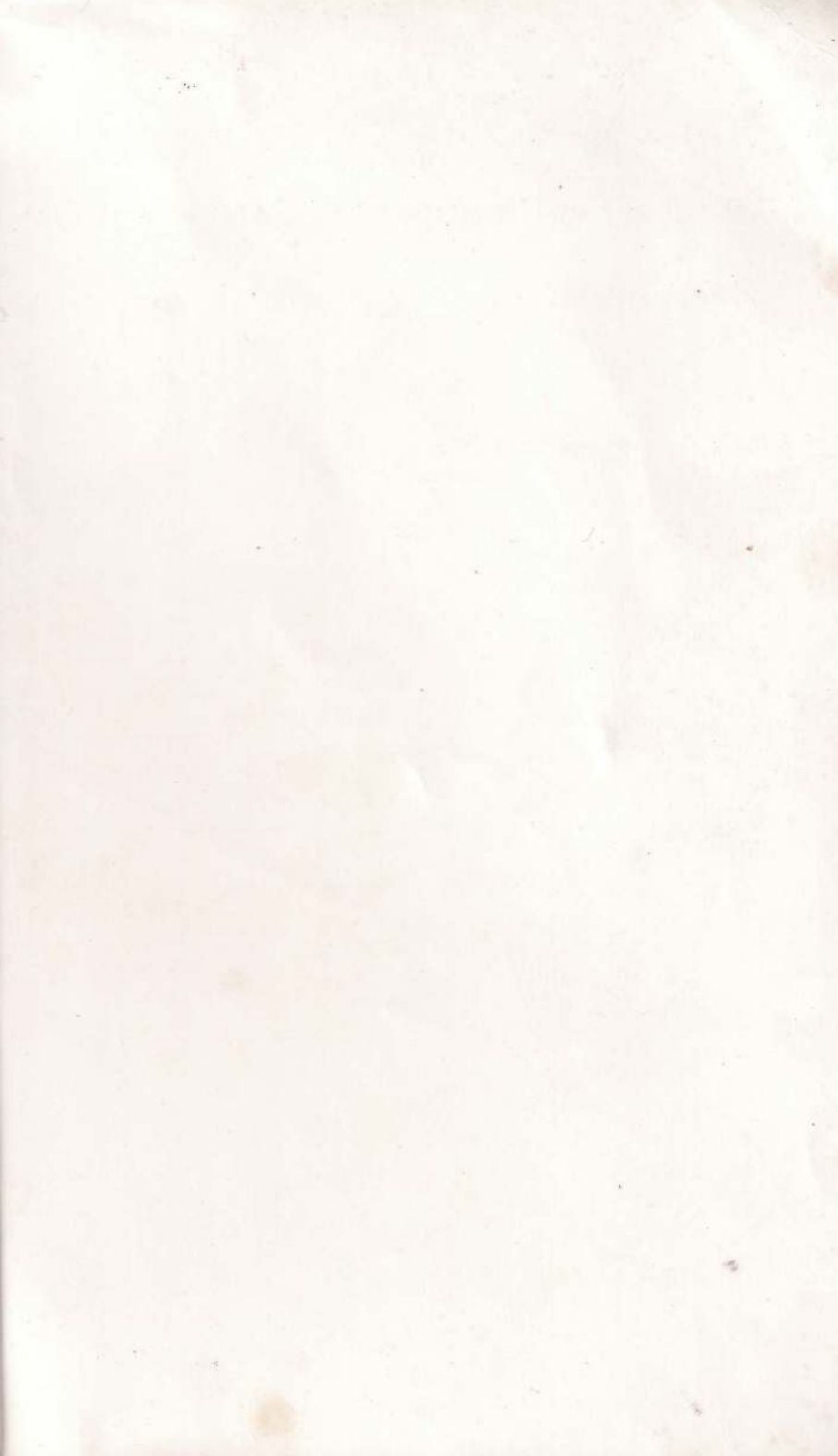
It is this self-dependent and self-reliant concept and recognition of the workers that is required today. The workers — actual producers, not talkers or stage controllers must have the day, and not be mere appendages to those associations controlled externally by socio-political powers that be.

The WEAL is an ideal united institution in this respect to spearhead such a project to safeguard the small farmers as it comprises all types of personnel/worker patrons who may be aligned in their private life, yet non-aligned in the service of WEAL.

WORKER EDUCATORS' ASSOCIATION OF SRI LANKA
Executive Council — 1995

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