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The Gazette of the Democratic Socialist Republic of Sri Lanka  
EXTRAORDINARY

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**PART I : SECTION (I) — GENERAL**

**Government Notifications**

**PUBLIC SERVICE COMMISSION OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA  
PROCEDURAL RULES**

**Volume I**

PROCEDURAL RULES ON APPOINTMENT, PROMOTION AND TRANSFER OF PUBLIC OFFICERS AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO

THESE Procedural Rules enacted by the Public Service Commission on appointment, promotion and transfer of public officers and to provide for matters connected therewith and incidental thereto by virtue of the powers vested in the Commission in terms of Article 55 (3) of the Constitution of the Democratic Socialist Republic of Sri Lanka was submitted to the Cabinet of Ministers by the Cabinet Memorandum No. 22/1867/601/027 dated 16.11.2022 by Honourable President and approved by the Cabinet of Ministers on 12.12.2022 by virtue of the powers vested under Article 55 (1) of the Constitution.

These Procedural Rules shall come into force with effect from 01st of January 2023 upon the approval of the Cabinet of Ministers.

The Procedural Rules of the Public Service Commission effective from 02.04.2009 published in the Gazette Extraordinary No. 1589/30 dated 20.02.2009 of the Democratic Socialist Republic of Sri Lanka shall be cancelled from 01st of January 2023 without prejudice to any decision or action taken or purported to have been taken thereunder.

By order of the Public Service Commission,

M. A. B. Daya Senarath,  
Secretary,  
Public Service Commission.

Office of the Public Service Commission,  
No. 1200/9, Rajamalwatta Road,  
Battaramulla,  
14<sup>th</sup> of December 2022.



1A- G 38314 -56 (12/2022)

This Gazette Extraordinary can be downloaded from [www.documents.gov.lk](http://www.documents.gov.lk)

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## Chapter I

### Public Service Commission

#### Establishment

1. The Public Service Commission is established in terms of Article 54 of Chapter IX of the Constitution of the Democratic Socialist Republic of Sri Lanka.

#### Powers

2. In terms of Article 55(3) of the Constitution, the appointment, promotion, transfer, disciplinary control and dismissal of public officers are vested in the Public Service Commission subject to Articles 55(1), 55(2) and 55(4) and 61F of the Constitution.
3. Subject to Articles 12(1) and 126 of the Constitution, the Commission reserves to itself the right to deviate from rules, regulations and procedures laid down by the Commission within the limitations determined by the Commission in respect of each special instance that arises under exceptional circumstances.
4. In terms of Article 58(2) of the Constitution, the Commission has power to alter, vary, rescind or confirm an order against which an appeal made by a public officer in terms of Article 58(2) of the Constitution or to give direction in relation thereto or to order such further or other inquiry as to the Commission shall seem fit.
5. Where there is difficulty in the interpretation of these rules or their application, or their application or on matters not provided for in these procedural rules, the Commission reserves to itself the right of final determination.
6. The Commission, in terms of Article 61 B of the Constitution, reserves to itself the right to enact rules, regulations and procedures relating to the public service and to amend and revoke such rules, regulations and procedures subject to Article 55(1) of the Constitution.
7. In terms of Article 56(1) of the Constitution, the Commission may delegate to a committee of three persons (not being members of the Commission) appointed by the Commission, the power of appointment, promotion, transfer, disciplinary control and dismissal of particular categories of public officers as are specified by the Commission subject to such conditions and procedure as may be determined by the Commission and subject to Articles 56(2), 56(3) and 56(4). Furthermore, in terms of Article 57(1), the Commission may delegate to a public officer subject to such conditions and procedures as may be determined by the Commission and subject to Article 57(2) the power of appointment, promotion, transfer, disciplinary control and dismissal of such categories of public officers as are specified by the Commission.
8. The Commission shall submit its views whenever the Cabinet of Ministers consults it on appointment, promotion, transfer and dismissal of all Heads of Departments and disciplinary control over them in terms of Article 55(2) of the Constitution.

#### Accountability to Parliament

9. In terms of Article 55(5) of the Constitution, the Commission shall be responsible and answerable to Parliament in accordance with the provisions of the Standing Orders of Parliament for the exercise and discharge of its powers and functions and shall forward to Parliament in each calendar year, a report of its activities for such year.

#### Independence

10. Subject to the provisions in Article 59 and Article 126 of the Constitution and in terms of Article 61A of the Constitution, no court or tribunal shall have power or jurisdiction to inquire into, or pronounce upon or in any manner call in question any order or decision made by the Commission, a committee or any public officer, in pursuance of any power or duty conferred or imposed on such Commission or delegated to a committee or public officer under Chapter IX of the Constitution or any other law.
11. In terms of Article 61 (C) (1) of the Constitution, every person who, otherwise than in the course of such person's lawful duty, directly or indirectly by himself or by or with any other person, in any manner whatsoever influences or attempts to influence or interferes with any decision of the Commission or a committee or a public officer to whom the Commission has delegated any power, or to so influence any member of the Commission or a Committee shall be guilty of an offence and shall on conviction be liable to a fine not exceeding One Hundred Thousand Rupees or to imprisonment for a term not exceeding seven years, or to both such fine and imprisonment.

## Chapter II

### Exercise of Delegated Powers

12. A committee or a public officer on whom powers have been delegated by the Public Service Commission in terms of Section 7 of Chapter I shall be responsible and answerable to the Commission regarding the exercise of such delegated powers.
13. Where the powers of the Commission in respect of public officers have been delegated to a committee, such powers shall be exercised by the members of the committee collectively.
14. The authority with delegated power shall exercise such powers by itself and shall not re-delegate such powers to any other person or a committee.
15. All acts committed and decisions made by any person or a committee in violation of the provisions of Section 14 shall have no effect. The authority with delegated power who authorises or facilitates such action and decision as well as the person or committee who exercises such power shall be personally liable for such harm or loss caused due to such act or decision.
16. The authority with delegated power shall exercise powers within the scope and limits of such delegation. Any act committed or decision made in excess of the scope and limits of such delegation shall have no effect. Such authority with delegated power or in case of a committee, every member of such committee shall be personally liable for any harm or loss caused by such acts or decisions.
17. Where the authority with delegated power makes any decision or commits any act on the instructions or orders or under the influence of anyone except in accordance with the procedural rules, guidelines, procedures and regulations issued by the Commission, making of such decisions or the commission of such acts shall be treated as an offence under the First Schedule of the disciplinary procedure concerning public officers. Such decisions or acts shall have no force or effect. The authority with the delegated power or in case of a committee, every member of such committee shall be personally liable for any harm or loss caused by such decisions or acts. However, this Section shall not preclude any action taken in pursuance of a decision made by the Administrative Appeals Tribunal or by a Court of Law properly constituted under the Constitution.
18. The authority with delegated power shall exercise such powers in accordance with the procedural rules, guidelines, procedures and regulations impartially, equitably, and in good faith and in a transparent manner.
19. The authority with delegated power shall act diligently on matters entrusted to him and any delay due to reasons beyond his control shall be reported to the Commission forthwith.
20. The authority with delegated power shall seek assistance and advice from the Commission where the necessity arises.
21. Decisions on any matter or interpretation not covered by these Procedural Rules shall be made by the Commission.

### Chapter III

#### Appointment

22. The Commission shall have the power to make following appointments subject to the policy decisions taken by the government from time to time.
  - I. Appointment to a post on substitution, contract, casual, temporary, attending to duties, acting and permanent basis;
  - II. Appointment on change of existing service status of a public officer;
  - III. Appointment of an officer holding a post in the public service to another post in the public service;
  - IV. Appointment of a public officer from a lower grade position to a higher grade position in the public service
  - V. Reappointment or reinstatement of a public officer who has retired or duly resigned from the public service;
23. A committee or a public officer to whom the power has been delegated in terms of Articles 56 (1) or 57 (1) of the Constitution shall be able to make only the appointments referred to in items I, II, III and IV of Section 22 above.
24. However, the reinstatement by the Commission of a person who had been dismissed from the public service or who had vacated his post pursuant to consideration of an appeal by such person shall not be treated as a contradiction to the terms stated in Chapter V herein.
25. An appointment as an internal arrangement to cover up the duties of a post in order to carry on with and continue to update the administration work of an institution may be made by the respective Head of the Department or Head of the Institution.

#### Basic facts applicable to appointments

26. An appointment on casual basis shall be made only if financial allocations are provided for in the annual estimates or approved estimate solely for the intended task. He shall be paid only an allowance on a daily basis or in the manner agreed upon by the parties. The employment of such person shall cease upon the completion of such task. A casual employee shall have no claim for permanency or to be appointed to any other post in the public service by virtue of the casual appointment. However, only a person who has fulfilled the qualifications prescribed in the relevant Scheme of Recruitment shall be considered for an appointment on casual basis.
27. If, as a matter of urgency, a substitute appointment has to be made to cover up the duties of a post in the absence of its permanent holder, only a person who possesses applicable qualifications in terms of the approved Scheme of Recruitment shall be considered for such appointment and the substitute appointment shall be made solely on the basis of payment of daily wages. The substitute appointment shall cease when the permanent holder of the substantive post reports for duty.
28. An appointment on permanent or contract or temporary or acting or attending to duties basis, shall be made only for a post falling within the approved cadre of the relevant institution and having an approved Service Minute or Scheme of Recruitment, as the case may be, with funds provided by the General Treasury.
29. Except for an appointment made to act or attend to or cover up duties, it should be advertised in conformity with the approved Service Minute or the Scheme of Recruitment, as the case may be, when each vacancy is filled.
30. Before an appointment is made, the Appointing Authority should satisfy himself that-
  - I. the particular post exists in the cadre approved by the relevant authority;
  - II. financial provision has been made;
  - III. a vacancy actually exists in the cadre;
  - IV. the appointment is in accordance with the approved Service Minute or Scheme of Recruitment, as the case may be;
  - V. He has the authority to make the appointment.
31. A post shall not be deemed to be vacant, if the holder of the post is on paid leave or on no pay leave or has been temporarily released for other duties or is under interdiction or is on leave preparatory to retirement. However, where the Appointing Authority deems it necessary due to the exigencies of the service, he may appoint a person to attend to duties or to act in such post.

32. Every appointment to the public service other than on substitution or casual basis shall only be made in accordance with the approved Service Minute or the Scheme of Recruitment, as the case may be.
33. The date specified in the letter of appointment or the date on which the officer formally assumes duties of the post, whichever is later, shall be the effective date of an appointment. However, in the event of an officer finds himself unable to assume duties in his new post following his appointment due to the reason he has been temporarily released for any other duties or owing to travel abroad for official purposes or any matter beyond of his control, the Commission shall then decide on the effective date of such appointment.

However, where a recruitment is made by calling applications from the internal applicants under limited and merit streams, the effective date of such an appointment shall be determined by the Commission subject to the provisions in Rule Nos. 36 and 37 of the Procedural Rules.

34. No person shall be appointed to a post in the public service or for the public service using any designation of the public service on honorary or voluntary capacity unless provisions are made therefor by any written law.

#### **Antedating of Appointment**

35. No Appointing Authority other than the Commission should antedate an appointment.
36. An application to antedate any appointment should be made to the Commission by the relevant Appointing Authority or Administrative Authority setting out the reasons therefor. Following conditions should have been completed for such an antedating and the Appointing Authority or Administrative Authority should ensure that it to be so.
- I. There has been a substantive vacancy in the post from the date to which an appointment to such post is proposed to be antedated.
  - II. As at the date to which the appointment is proposed to be antedated, the relevant appointee has acquired all the qualifications required for such appointment in terms of the Scheme of Recruitment which was in force as at such date.
  - III. The appointment proposed to be antedated has been made in accordance with the approved Service Minute or relevant Scheme of Recruitment.
37. Antedating of an appointment will not be allowed on any ground whatsoever under any of the following circumstances.
- I. If such antedating results in the officer concerned gaining seniority over an officer appointed before him or with him to the same grade or post or any disturbance in the seniority determined at the selection for such appointment;
  - II. If an appointment is proposed to be antedated to a date falling before the date of holding a competitive examination or an interview awarding marks where such appointment is made based, either solely or partly, on the performance of the officer at that competitive examination or interview;
  - III. If an appointment is proposed to be antedated to a date falling before the date on which the relevant qualifications have been examined in accordance with the notice calling for applications for appointment;
  - IV. If recruitment is made by calling for applications from external applicants under open stream.

## Chapter IV

### Service Minutes and Schemes of Recruitment

#### Approval

38. For each approved service in the public service, there shall be a Service Minute and for each approved post falling outside those services, there shall be a Scheme of Recruitment. Such Service Minute or Scheme of Recruitment shall contain qualifications for recruitment, methods of recruitment, salary scales, service conditions, methods of promotion, professional ethics and all other relevant information.
39. Draft Service Minutes and Schemes of Recruitment shall be prepared in accordance with the standard format approved by the Public Service Commission referred to in Appendices 01 and 02 respectively. Service Minutes and Schemes of Recruitment shall be submitted to the Commission for approval by the Secretary to the relevant Ministry with his recommendation and the observations and recommendations of the Director General of Establishments, National Salaries Commission and Appointing Authority.
40. Draft Service Minutes and Schemes of Recruitment shall be in full compliance with the policy approved by the Cabinet of Ministers.
41. The Service Minutes approved by the Commission shall be made public by publishing it in the government gazette and the Scheme of Recruitment approved by the Commission shall be published as appropriate.

#### Amendment

42. Where a need arises to amend an approved Service Minute or Scheme of Recruitment, the Secretary to the relevant Ministry or the Administrative Authority shall submit to the Commission for approval a draft of the amended Service Minute or Scheme of Recruitment, as the case may be, together with his recommendations and a schedule containing the information set out in Section 43 hereof and the recommendations of the Director General of Establishments and the National Salaries Commission and Appointing Authority.
43. The schedule referred to in 42 above shall be in three columns and include the following: -
  - I. The existing provisions of the Service Minute or the Scheme of Recruitment to be amended;
  - II. The reasons for the amendment; and
  - III. The proposed amendments.

Furthermore, the draft of the amended Service Minute or the Scheme of Recruitment shall include the proposed amendments by underlining and highlighting the same.

44. The Commission shall have the discretion to approve or approve with revisions or reject or revoke a Service Minute or Scheme of Recruitment or the proposed amendment submitted by a Secretary. Similarly, the Commission shall have the discretion to implement any Service Minute or Scheme of Recruitment created by the Commission for a particular post or service in the public service or to amend by itself any existing Service Minute or Scheme of Recruitment, in consultation with the relevant authorities.

## Chapter V

### Persons not qualified for recruitment to the public service

45. The following persons are not qualified for recruitment to the public service:

- I. A person who is not a citizen of Sri Lanka or a person who does not have citizens' rights;
- II. Any of the following persons who served in the public service or provincial public service or in a public corporation or a statutory institution-
  - (a) A person who has been compulsorily retired for general inefficiency;
  - (b) A person who has been retired as a merciful alternative to dismissal;
  - (c) A person who has been retired or dismissed from service on disciplinary grounds;
  - (d) A person who has vacated his post.
- III. A person convicted by a court of law for a criminal offence committed against the Democratic Socialist Republic of Sri Lanka;
- IV. A person convicted by a court of law in any criminal proceedings or convicted by a court of law after summary inquiry in terms of Section 449 of the Criminal Procedure Code;
- V. Any person who has been declared as bankrupt.

## Chapter VI

### Terms and Conditions governing Appointments

46. Every public officer shall hold his post on public trust. He shall diligently discharge the duties of the post to which he is appointed for the benefit of the republic and its people.
47. It shall be the duty of every public officer-
- I. to uphold and defend the Constitution and all written laws;
  - II. to further the national interest and foster national unity;
  - III. to work conscientiously in his chosen occupation;
  - IV. to preserve and protect public property and to combat misuse and waste of public property;
  - V. to respect the rights and freedoms of others; and
  - VI. to protect nature and conserve its riches.
48. Every public officer shall discharge his duties, responsibilities and functions in accordance with the Constitution of the Democratic Socialist Republic of Sri Lanka, and its law, government policy, procedural rules, guidelines, procedures and regulations issued by the Public Service Commission and orders made by the Public Service Commission from time to time. Furthermore, public officers shall be subject to the relevant Service Minutes, Schemes of Recruitment, Establishments Code, Financial Regulations, other Government Orders, Regulations, Circulars, Instructions and Departmental Orders including amendments thereto as may be made from time to time.
49. Every person who is appointed to a permanent and pensionable post in the public service shall contribute either to the Widows' and Orphans' Pension Scheme or to the Widowers' and Orphans' Pension Scheme, as the case may be or any other Retirement Scheme introduced by the government. The contribution to be made thereto shall be in such manner as announced by the government from time to time.
50. A person holding a post under a permanent but non-pensionable appointment or on casual, temporary or contract basis shall contribute to the Public Service Provident Fund. The contribution to be made thereto shall be in such manner as announced by the government from time to time.
51. A public officer shall furnish a security deposit, where applicable, in terms of the public officers' Security Ordinance, as may be determined by the Head of the Department.
52. A public officer is bound to serve in any part of the country.
53. Every officer appointed on permanent or contract basis shall be certified by a medical examination that he is physically and mentally fit to serve in any part of Sri Lanka. This medical examination shall be held in a government hospital in the following manner in accordance with the procedure as decided by the Secretary to the Ministry of Health or the Director General of Health Services: -
- I. Where a person who does not hold a permanent post in the public service is provisionally selected for a permanent appointment or for an appointment on probation with a view to permanent employment, the Head of the Department in which the vacancy exists must direct the selected candidate to fill the Form Health 169, and to forward it to the nearest Government Medical Officer In Charge of a hospital and to present himself for a medical examination. No fee is chargeable for this examination.
  - II. The Medical Officer will make an examination and fill the Form Health 169, which he will forward through the Head of his Institution to the Regional Director of Health Services of his Division. The latter will complete the report and forward it to the relevant Head of the Department if the candidate has been found physically and mentally fit for appointment and to the Director General of Health Services if he has been found unfit. In the latter case, the Director General of Health Services shall inform the Head of the Department whether the

candidate is fit for appointment or whether a further medical examination should be conducted in respect of the candidate.

III. A Head of the Department must ensure that no salary is paid to a newly appointed officer until the medical report on the Form Health 169 has been received. However, if the delay is not due to any fault of the officer concerned, then the Head of the Department may pay the salary at his discretion.

IV. If the person has been found physically and mentally unfit for appointment according to the medical report, such appointment should be cancelled, but he will be eligible to receive the salary for the duration he has worked.

54. Every person appointed to a post in the public service, shall take and subscribe the oath or make and subscribe the affirmation in terms of the Fourth Schedule and Seventh Schedule to the Constitution.
55. Every public officer shall acquire proficiency in Sinhala, Tamil and English, as the case may be, in such manner as required by the Official Languages Policy of the government.
56. A monthly paid public officer who wishes to resign from his post must, unless otherwise stated in his letter of appointment, give at least one calendar month's notice in writing to the Appointing Authority. If the Appointing Authority agrees, he shall pay a sum equivalent to a month's salary to the government in lieu of one month's notice and resign. However, a resignation of a public officer will be effective only from the date decided and intimated by the Appointing Authority as the accepted date of resignation.
57. Where the Appointing Authority wishes to terminate the services of a monthly paid officer who is not confirmed in the service in accordance with the conditions contained in his letter of appointment, he must be given one month's notice by the Appointing Authority.
58. The Appointing Authority may terminate the employment of a person appointed on substitute or casual basis without giving prior notice.
59. Where it is disclosed at any time after a person has assumed duties in a post in the public service that the appointment has been obtained on false information or forged documents furnished by such person to the Appointing Authority or any other relevant authority, such officer shall be given due notice of the allegation and an opportunity to explain. Where the explanation is not acceptable, such appointment shall be revoked forthwith and be treated as invalid and inoperative. Furthermore, all amounts of money already paid to him as salaries and allowances by the government or the provincial council shall be recovered from him.
60. At the first instance where it is disclosed that a person appointed to a post in the public service does not have basic qualifications prescribed for the relevant post, such matter shall be referred forthwith to the Commission in order to obtain a decision on such appointment.

## Chapter VII

### Procedure to be followed in Recruitment and Appointment

#### General

61. The Appointing Authority and/or the Administrative Authority shall at the appropriate time, fill vacancies in the approved cadre without undue delay in accordance with the approved Service Minute or Scheme of Recruitment, as the case may be.
62. If special circumstances arise necessitating recruitments to be made outside the approved Service Minute or Scheme of Recruitment, the request therefor shall be made to the Public Service Commission, with the recommendations of the Head of the Department and the Secretary to the relevant Ministry or the Administrative Authority. The Commission reserves the right to make decisions thereon, after obtaining the required recommendations from the Director General of Establishment and National Salary Commission. However, such request should not be made as a matter of course.
63. The Appointing Authority or the Administrative Authority shall make arrangements to hold examinations and/ or professional tests and interviews or all of them as prescribed in the Service Minute or Scheme of Recruitment, as the case may be.

#### Preliminary Measures

64. Where a vacancy occurs in a post in the approved cadre or where such a post is created anew, such fact shall be reported by the Head of the Department or Head of the Institution to the relevant Appointing Authority of the respective service or post stating whether or not it recommends to fill such vacancy forthwith. If the filling of such vacancy is not recommended, the Head of the Department or the Head of the Institution shall state the reasons therefor in detail. In the instances where the Commission is the Appointing Authority, the relevant Administrative Authority shall make such recommendation to the Commission.
65. If the Head of the Department or the Head of Institution recommends filling of the vacancy and if the conditions in Section 30 of Chapter III herein have been met, the Appointing Authority shall approve the notice calling for applications prepared in accordance with the approved Service Minute or Scheme of Recruitment and the applicable marking scheme where selection is made based on an interview for evaluating eligibility and publish them in the manner provided in the Service Minute or the Scheme of Recruitment, as the case may be.
66. Where the Appointing Authority is the Public Service Commission, the Administrative Authority of the relevant service or post shall forward the documents referred to in Section 65 to the Commission without delay for approval together with his recommendation and publish the said notice as stated in the Service Minute or the Scheme of Recruitment as the case may be as soon as the approval therefor is received.
67. Where the manner in which the notice calling for applications has not been stated in the Service Minute or the Scheme of Recruitment, the Appointing Authority or the Administrative Authority shall publish the relevant notice by internal circulars for internal candidates and by publication in the government gazette or popular newspapers and websites if available for non internal candidates.

#### Holding the Examinations and Tests

68.
  - I. Where the Service Minute or the Scheme of Recruitment provides for a competitive examination is to be held, the applicants should forward their applications to the authority conducting the examination direct. Therefore, the preparation of the notice calling for applications shall be the duty of the Appointing Authority or the Administrative Authority.

II. Following matters should also be included in a notice published in terms of Sections 65 and 66 above.

- i. Number of applicants expected to be recruited or the date on which the vacancies are calculated.
- ii. Date on which the applicants should complete the qualifications.

III. Where the date of calling for applications is extended upon any reason, the date on which the applicants should complete their qualifications prescribed in the original notice should not be changed.

69. If the Service Minute or the Scheme of Recruitment provides that it includes a professional test or practical test or physical fitness test or any other test, in addition to a written competitive examination for recruitment such written competitive examination should be held first.
70. Where the Service Minute or the Scheme of Recruitment provides for recruitment with an interview awarding marks and / or any other examination awarding marks, the authority who conducted the examination shall send the Appointing Authority the list of names of the applicants rearranged in the alphabetical sequence, which had been prepared in the order of merit, without the marks secured at the written examination for purposes of the interview.

### **Holding of the Interviews**

71. The Appointing Authority shall appoint Boards of Interview in accordance with the approved Service Minute or the Scheme of Recruitment, as the case may be.
72. A Board of interview, unless otherwise provided for in the Service Minute or the Scheme of Recruitment, as the case may be, shall consist of at least three members and not more than five members including its Chairman who shall be a public officer subject to the following conditions.
  - I. At least one member of the Board of Interview shall be from a Ministry or Department other than the Ministry or Department in which the vacancy exists.
  - II. The Board of Interview shall be appointed so as to represent both the male and female parties whenever possible.
  - III. The Board of Interview shall conduct the interview in order to facilitate the use of all three languages where necessary and may use the service of an interpreter for this purpose.
73. Unless otherwise provided for in the approved Service Minute or the Scheme of Recruitment or notice calling for applications for the recruitment, as the case may be, the number of applicants to be called for the interview shall be determined by the Appointing Authority according to the number of vacancies and the order of merit of the aggregate marks obtained at the written examination and/ or professional test or such other test awarding marks referred to in Section 69 or all of them.
74. Where selections are made only through an interview where marks are awarded or an interview and any other test referred to in Section 69 awarding marks without a written examination, the said interview shall be a structured interview or an interview for evaluating eligibility and all such tests as applicable shall be indicated in the notice calling for applications for the post. Likewise, the manner in which the marks are awarded for such tests shall also be included in the said notice.
75. A Board of Interview shall be provided with the following information and documents.
  - (a) approved Service Minute or the Scheme of Recruitment, as the case may be;
  - (b) advertisement calling for applications;
  - (c) number, names and summary of qualifications of the applicants;
  - (d) schedule of interview;

76. Every applicant shall be interviewed by a plenary session of the Board of Interview. No person other than an interpreter who is not a member of the Board of Interview shall be allowed to participate in its sessions. For recording marks at the interview, a carbon pen or pen with indelible ink shall be used, not pencils.
77. The Board of Interview shall ensure that copies of all documents produced by candidates at the Interview are duly authenticated by them and handed over to it. Such documents should thereafter be submitted to the relevant Appointing Authority or the Administrative Authority together with the schedule of interview.
78. Where marks are awarded for the performance at the interview, the Board of Interview, immediately after the interview, shall prepare a schedule of marks in the proper order of merit obtained by the candidates and attach it to the schedules of interview and every member of the Board of Interview shall sign each page of such schedules.
79. Where an interview has to be held to allocate marks after a written examination and/ or a professional test, marks obtained by the applicants at the written examination and/ or the professional test shall not be made available to the Board of Interview. The results of a written examination and/ or the professional test shall not be published for whatever reason until the Appointing Authority takes a final decision regarding the appointments. Its confidentiality shall be preserved to the utmost.
80. The Appointing Authority, having duly verified the accuracy of the list of names prepared by the Board of Interview in accordance with the order of merit obtained at the interview awarding marks and / or the list of names prepared in accordance with the order of merit obtained at the other test awarding marks, shall send it to the authority by whom the examination was conducted.
81. Where the written examination is not held, the Appointing Authority shall prepare a final merit list after aggregating the marks obtained at the interview and the marks obtained at the other test.
82. Where the Commission is the Appointing Authority, the Administrative Authority shall forward to the Commission a list of applicants prepared in the order of merit of the marks obtained by them, results of the examination, schedules of interview and recommendations of the Board of Interview together with his own recommendations on the number of posts for which relevant appointments should be made.
83. The results of a written examination and / or any other test awarding marks shall not be published for whatever reason until the Appointing Authority gives his concurrence. Once the selection process is over, the Appointing Authority or Administrative Authority shall publish the list of names of the appointees.
84. Where the approved Service Minute or Scheme of Recruitment, as the case may be, does not include a structured interview or an interview for evaluating eligibility, the interview should be held only for the purpose of verifying the certificates of the applicants and confirmation of their qualifications.
85. Where the approved Service Minute or Scheme of Recruitment, as the case may be, includes a structured interview or an interview for evaluating eligibility, no marks shall be awarded for anything produced in the instances other than at the time of the interview.
86. The Appointing Authority or the Administrative Authority or the Head of the Institution shall draw the attention of the members of the Board of Interview to these Rules prior to commencement of an interview or a professional test.

### **Selection for Appointment and the Letter of Appointment**

87. Where the recruitment is made only on the results of a written examination and / or an interview awarding marks and / or any other test awarding marks, the appointments shall be made strictly in the order of merit of the aggregate marks obtained by the candidates at such written examination and / or interview awarding marks and / or other tests awarding marks.

88. The Commission after receiving the document in terms of Section 82 above shall satisfy that the relevant examination or interview or all of them has been conducted in accordance with the approved Service Minute or Scheme of Recruitment, as the case may be, and the approved marking scheme. The Commission may thereafter approve the relevant selections in the order of merit of the marks obtained at the examination or interview or any other test awarding marks or all of them in consideration of the recommendations of the Board of Interview.
89. The Appointing Authority shall subsequent to the selection as stated in Section 87 above as soon as possible issue a formal letter of appointment in the format of Appendix 03 or 04 of these Procedural Rules.
90. Where the Commission is the Appointing Authority, the Commission, after having informed the Administrative Authority of the selection, shall, as soon as possible, issue a formal letter of appointment together with the changes, if any, in the format of Appendices 03 or 04 of these Procedural Rules.
91. Appointments shall not be made in excess of the number of vacancies which existed as at the date on which the qualifications should have been fulfilled as mentioned in the notice calling for applications.
92. Where appointments are made on the priority list prepared in the order of merit and where there are several applicants who had obtained equal marks for the last vacancy or vacancies, the authority with delegated power shall not fill the vacancy or vacancies on the results of the written test and/ or professional test and/ or interview, as the case may be, unless otherwise the Commission has made instructions, but shall forthwith report the matter to the Commission and seek instructions. Even though the relevant notice of recruitment does not provide for, the Commission, in such an instance, may make a decision for selection of required number of applicants through a transparent method the Commission seems fit.

#### **Procedure to be followed after Appointment**

93. A person appointed to a post in the public service whether on casual, temporary or permanent basis shall forthwith inform the Appointing Authority in the format of Appendix 05 whether he accepts the post on the terms and conditions mentioned in the letter of appointment.
94. It is the responsibility of the Appointing Authority or Administrative Authority or the Head of the Department or the Head of the Institution, to ascertain the identity of the person who accepts the appointment in accordance with the letter of appointment.
95. The appointee on reporting for duty shall make and subscribe or take and subscribe the affirmation or oath set out in the Fourth Schedule and the Seventh Schedule of the Constitution of the Democratic Socialist Republic of Sri Lanka, on his first day and within one month of his appointment respectively, before the Appointing Authority or Administrative Authority or Head of Department or Head of Institution as applicable. It is the responsibility of the relevant authority to obtain the affirmation or the oath signed by the appointee. An appointment of an appointee who fails to make and subscribe the affirmation or take and subscribe the oath during the stipulated period shall automatically be ceased.
96. An appointee on the first day of assuming duties shall hand over a letter in the format of Appendix 06 confirming that he reported for duty to the Appointing Authority or the Administrative Authority or the Head of the Department or the Head of the Institution, as the case may be.
97. An appointee on assuming duties shall hand over the following documents to the Appointing Authority or the Administrative Authority or the Head of the Department or the Head of the Institution, as the case may be:
  - (a) Certified copy of the National Identity Card.
  - (b) Birth Certificate.

- (c) Originals and one set of photocopies of educational qualifications and any other academic and professional qualifications produced to the interview for verification of the basic qualifications required for the post. (The appointee shall certify that the photocopies are of genuine certificates and the Appointing Authority shall compare the photocopies with the originals and certify that the photocopies are those of the originals. The photocopies shall be retained by the Appointing Authority and the originals returned to the officer.)
- (d) Marriage Certificate, Birth Certificate of the spouse, copies of Birth Certificates of children, where applicable
- (e) Service Agreement on Form General 160.
- (f) Declaration of Assets on Form General 261.
- (g) Declaration of Assets and Liabilities, where applicable.
- (h) Addresses of permanent and temporary residence, telephone numbers and e-mail addresses.

The Appointing Authority or the Administrative Authority or the Head of the Department or the Head of the Institution, as the case may be, shall have the certificates referred to in (b) and (c) above certified as genuine by the relevant authorities within a period of one year of the date of appointment.

98. The appointment of a person who fails to report for duty on the date stipulated in the letter of appointment without informing a valid reason in writing shall stand as cancelled.
99. When an appointee to the public service reports for duty, the Appointing Authority or the Administrative Authority or the Head of the Department or the Head of the Institution, as the case may be, shall open a personal file for the appointee containing the documents referred to in Section 97 above and the following documents and update it regularly.
- (a) Copy of the Letter of Appointment issued for the purpose of the personal file;
  - (b) History Sheet;
  - (c) Copy of declaration under the Widows' and Orphans' Pension Scheme or the Widowers' and Orphans' Pension Scheme or the Public Service Provident Fund as applicable;
  - (d) Certified photocopy of the certificate confirming the security deposit, if required to furnish a security having regard to the nature of the appointment;
  - (e) Medical Report on Form Health 169;
  - (f) Original of the affirmation or oath referred to in Section 95 of this Chapter.
100. When an appointee reports for duty, the Appointing Authority or the Administrative Authority or the Head of the Department or the Head of the Institution shall attach the officer to a division or branch in his office, or to another office or duty station under him. The Head of such division or branch shall without delay hand over a duty list to the officer.
101. Where an appointee reports for duty, the Appointing Authority or the Administrative Authority, as the case may be, shall inform the Auditor General that the officer has accepted the post.
102. Where the publication of the appointment of an officer to a particular service or post in the government gazette is a legal requirement, it shall be the responsibility of the Appointing Authority/ Administrative Authority to take prompt action to have such appointment published in the government gazette.
103. Once a public officer has been assigned duties, the Appointing Authority or the Administrative Authority or the Head of the Department or the Head of the Institution shall provide him with training before the expiry of one year from the date of appointment so that his services could be obtained more productively and efficiently. Where training is mentioned in any Service Minute or Scheme of Recruitment, the training shall be conducted in such manner as to meet the requirements stated therein. It shall also be the responsibility of the officer to duly participate in such training programmes.

104. The Medical Report to be furnished by an appointee to a post in the public service on temporary or permanent basis shall be obtained from the Medical Officer In Charge of a Government Hospital. The appointee shall take necessary action to forward such report to the Appointing Authority or the Administrative Authority within three months of the receipt of the appointment.
105. Where a new appointee is found to be physically or mentally unfit for the relevant post following a medical examination, the respective Appointing Authority shall take action to terminate the appointment of such officer as soon as the report confirming such fact is received from the Director General of Health Services.

### **Appointment to Post**

106. It is the responsibility of the Appointing Authority or the Administrative Authority or the Head of the Department or the Head of the Institution to appoint the persons recruited to the public service according to the existing vacancies in compliance with the duly approved Service Minute or Scheme of Recruitment and the provisions set out in these Procedural Rules.
107. The Commission shall appoint the Additional Secretary of a Ministry, Director General who are not Heads of Departments, Additional Director General, Additional Commissioner General, Deputy Director General, Deputy Commissioner General and other comparable posts and Senior Assistant Secretary and Divisional Secretary and other comparable posts. The following procedure shall be adopted with regard to such appointments.
- I. Where a vacancy occurs in a post in the approved cadre or where such a post is created anew, the Secretary of the relevant Ministry shall make a written request to the Commission seeking approval to fill such post in accordance with the approved Service Minute or Scheme of Recruitment, as the case may be. If the vacancy belongs to an All-Island Service, the request should be made through the relevant Administrative Authority.
  - II. Such request shall be accompanied by a brief report setting out the nature of duties of the particular post.
  - III. On receipt of such request and report, the Commission shall appoint a suitable public officer to the post in terms of the approved Service Minute or Scheme of Recruitment, as the case may be, and the Rules herein contained.

### **Concessions to Ex-Servicemen**

108. Ex-servicemen of the Army, Navy and Air Force who are not over 50 years of age seeking employment in the public service shall be granted the following concessions.
- I. Age Limit  
If an ex-serviceman falls within the maximum age limit of a post to which he seeks appointment after the period of his service in an armed service is subtracted from his age, he shall be treated as falling within the prescribed age limit.
  - II. Educational Qualifications:  
If an ex – serviceman has obtained the next lower educational level of the minimum educational qualifications prescribed in the Scheme of Recruitment to any post, other than a post for which a degree recognised by the University Grants Commission has been prescribed as the educational qualification, he shall be treated as having met with the prescribed educational qualifications.
  - III. Technical and Vocational Qualifications:  
An ex-serviceman who has gained skill and experience by working in relevant technical units of the armed services shall be treated as having the required technical or vocational qualifications.

## Chapter VIII

### Period of Probation and Confirmation of Appointment

#### Probationary Period of Three Years

109. The Appointing Authority shall subject every public officer appointed to a permanent post in the public service to a probationary period of three years.
110. A public officer appointed subject to a period of probation shall prove his suitability for the relevant post by diligently fulfilling during such period, the obligations and responsibilities imposed on him by his letter of appointment, good conduct and attendance and efficient service.
111. An officer should be regarded as being on probation with a view to learning work and being tested for his suitability for permanent retention. He should not only be given all facilities for acquiring experience in the duties and responsibilities relevant to his post but also be under continuous monitoring, sympathetic observation and guidance.
112. Where, during his period of probation, he shows any tendencies which render doubtful his suitability for permanent retention, he should at once be warned and given such assistances as may be possible to correct his failings by the Appointing Authority/ Administrative Authority. Any admonition administered for any serious act or omission or any fault of conduct or character which, if persisted in, may prevent his confirmation, should be communicated to him in writing and acknowledgement obtained. Such acknowledgment shall be conclusive proof of the fact that the officer was warned of his failings and given an opportunity for improvement.
113. It shall be the duty of the Appointing Authority to terminate the services of an officer on probation against whom specific instances of misconduct cannot be urged but whose temperament, behaviour and other defects render him unsuitable for further retention in the public service. In such an instance, the Appointing Authority shall ensure that all reasons which led to such a decision are recorded specifically and in detail in the relevant file and all factors that support such decision are kept secured. The letter of termination should be in the format of Appendix 07 with alterations where necessary.
114. The Head of the Department shall prepare review reports in respect of the first and second years of probation in the format of Appendix 08. On receipt of each of the report, it should be carefully considered and where necessary he should be warned of any shortcomings. The final review report together with first and second year reports should be submitted to the Appointing Authority at least 03 months prior to the expiry of the probationary period. Before the expiry of the period of probation, all three reports should be taken into consideration by the Appointing Authority and an order be made either confirming or extending the period of probation. The officer concerned should be informed of the decision in each case in writing.
115. If the Appointing Authority decides that the officer is not fit and suitable for confirmation, then the Appointing Authority may extend his period of probation by one year at a time subject to a maximum period of 03 years and shall defer the officer's increments. Such officer shall diligently engage in improving his performances during such extended period.
116. Where an inquiry into an irregularity committed by an officer on probation cannot be completed before the expiry of the period of probation, the appointment of such officer should be terminated or the period of probation extended taking into consideration the circumstances of the case.

117. At the end of each extended period of probation, the Head of the Department or the Head of the Institution shall prepare a review report as per Appendix 08. Where such report reveals deficiencies that may prevent his suitability for confirmation in his post, it shall be the responsibility of the Appointing Authority to extend or terminate the appointment of the officer subject to Sections 115 and 116 above. In such an instance, the Appointing Authority shall ensure that all reasons which led to such a decision are recorded in detail in the relevant file and all factors that support his decision are kept secured.

### **Probationary period of One Year**

118. A public officer holding a permanent post in the public service when appointed to another permanent post in the public service shall be subject to a probationary period of one year. However, where the prior service and experience of an officer already confirmed in the public service is not a criterion of eligibility for the new post, such officer shall be subject to a probationary period of three years.
119. If the Appointing Authority deems that the probationary period of one year is inadequate considering the period the officer would normally require to fulfil any condition that may be laid down for confirmation in the new post, the Appointing Authority may determine a sufficient period of probation not more than three years.
120. Where a public officer whose appointment has been confirmed is appointed to another permanent post in the public service subject to a probationary period of one year, the Head of Department or Head of the Institution shall prepare a review report in respect of such officer in the format of Appendix 08.
121. Where such review report reveals any deficiencies that might prevent his suitability for confirmation in his post, such fact must be forthwith communicated to the officer in writing and timely guidance given by the Head of the Department or the Head of the Institution and the Appointing Authority or the Administrative Authority shall defer the officer's increment and extend his period of probation by one year at a time subject to a maximum period of 03 years.
122. Where an inquiry into an irregularity committed by an officer on probationary period of one year cannot be completed before the expiry of the period of probation, the Appointing Authority shall take action to extend the probationary period of such officer taking into consideration the circumstances of the case.

### **Confirmation or Reversion or Termination of Appointment**

123. An officer appointed to the public service subject to a period of probation, shall prove within this period, his suitability for public service by diligently fulfilling the obligations and responsibilities imposed on him by his letter of appointment, good conduct and attendance and efficient service. If at the end of the period of probation, the officer's work, conduct and attendance are judged to have been satisfactory, and if he has fulfilled all the requirements for confirmation in that appointment, the appropriate authority shall confirm his service with effect from the date of appointment concerned.
124. In the event of termination of the appointment of an officer appointed as per Section 118 above at the end of the period of probation, it shall be the responsibility of the Appointing Authority to revert him to his former post. If the

former post of the officer is no longer vacant, he shall be reverted to such post on supernumerary basis. However, when a vacancy occurs in the substantive post, he should be appointed to such substantive post. In such an instance, the Appointing Authority or Administrative Authority shall ensure that all reasons which led to such a decision are recorded in detail in the relevant file and all factors that support his decision are kept secured, as the case may be. Letter of reversion to the former post shall be prepared in the format of Appendix 09 with necessary alterations. When an officer is reverted and placed in his former post without a break in his former service, the conditions of appointment relating to his former post shall once again come into force.

125. The Appointing Authority shall take action to confirm the appointment or to extend the period of probation or to terminate the appointment of a public officer on probation as soon as the officer concerned completes such period of probation. If his period of probation had been extended on grounds that were within his control, his salary increment shall invariably be deferred until he is confirmed in his post. All such decisions, whatever, shall be communicated to the officer in writing by the Appointing Authority. The officer shall have no claim whatsoever for salary increments deferred owing to his deficiencies.
126. Notwithstanding the fact that all the requirements have been fulfilled on the due date, appointment of a public officer is deemed to have been confirmed only after the issuance of a formal letter in the format of Appendix 10 to the effect that the relevant appointment has been confirmed by the Appointing Authority. Until such a letter has been issued, the officer shall be deemed as not having been confirmed in his appointment. In order to avoid any hardship that may be caused to the officer by the delay in issuing a letter even after the fulfilment of all requirements, the relevant Appointing Authority shall be mindful of the fact that such letters should be issued duly and without delay.
127. Where an officer is unable to obtain qualifications during the prescribed period for confirmation in his appointment owing to reasons beyond his control, the Appointing Authority may extend his period of probation by a reasonable period of time enabling him to obtain such qualifications. It shall be the duty of such public officer to obtain the required qualifications for confirmation in his appointment during the extended length of time. In such case, the officer shall be confirmed in his appointment with effect from the date of his appointment in such a manner that it will have no adverse effect on his seniority and salary increments. Provided, however, that the Appointing Authority shall terminate his appointment if the officer fails to obtain the required qualifications during the extended period of the probation owing to his negligence or inattention.
128. Where an officer fails to qualify for confirmation at the proper time, that is within the initial period of probation, for reasons within his control, but qualifies for confirmation during an extension of the period of probation granted to him, the salary increment falling due after the expiry of the initial period of probation will be deferred by the length of time taken in excess of the initial period allowed to qualify and he shall be confirmed in his appointment with effect from the date of his appointment. In this case, the Appointing Authority shall issue a letter in the format of Appendix 10. Furthermore, the seniority in the service or grade of an officer so confirmed shall be determined by the date on which he acquired all necessary qualifications for confirmation.
129. However, where a public officer fails to complete the period of probation prescribed in his letter of appointment owing to a reason beyond his control such as reaching on the age of compulsory retirement or permanent release from the service, such a case shall be referred to the Public Service Commission to make a decision on the confirmation of the officer confirmed.

**Chapter IX****Appointment to Act in a post or Attend to the duties of a post****Acting appointment**

130. The power to make an appointment to act or attend to duties in a post lies solely with the Appointing Authority.
131. A public officer should be appointed to act in a post only under the following circumstances-
- I. to bear the responsibilities and perform the duties of a particular post in the approved cadre of a government department or institution where the substantive holder of such post is away from work for a particular length of time with due approval or;
  - II. to bear the responsibilities and perform the duties of a particular post remaining vacant in the approved cadre of a government department or institution until such time the Appointing Authority makes a permanent appointment to such post.
132. Only an officer who is confirmed in his substantive post and is serving in a comparable post or a post immediately below it and has fulfilled all the qualifications stipulated in the approved Service Minute or the Scheme of Recruitment of the relevant post can be appointed to act in such post.
133. An acting appointment shall be made for the performance of the work of a post on full-time basis or in addition to the duties of a post the relevant officer already holds.
134. An officer holding an acting appointment shall not be entitled to the salary of the post to which he has been appointed to act whether on a temporary or a permanent basis.

**Appointment to attend to duties of a post**

135. Where no public officer qualified for appointment in terms of Section 132 above to act in a post that has fallen vacant is available, a most suitable officer may be appointed by the Appointing Authority to attend to the duties of such post.
136. Any allowance and privilege attached to a particular post may be enjoyed by the officer acting or attending to the duties in such post during the period of acting or the period of attending to the duties of the post. He shall have no claim for such allowance or privilege when the acting appointment or period of attending to the duties is terminated.
137. An officer can be appointed to attend to the duties of a particular post only if such post is either superior or comparable to the post the officer presently holds.

**General conditions governing acting appointments or appointments to attend to duties of a post**

138. Only an officer in a service specified in the Service Minute or Scheme of Recruitment relating to a particular post can be appointed to act or attend to the duties in such post and an officer belonging to any other service shall not be appointed to such post.
139. Any appointment to act or attend to duties shall be subject to a maximum period of one year. Before the expiry of such period, the Administrative Authority or / and the Appointing Authority shall appoint a suitable officer to such post on permanent basis. However, the Appointing Authority may consider the extension of an appointment to act or attend to duties beyond a period of one year.
140. Where the Appointing Authority has appointed a permanent officer to a post for which an appointment had been made to act or perform duties of such post, it shall be the responsibility of the Head of the Institution or the Head of the Department or the Appointing Authority to provide him with necessary facilities to perform the duties in such post. When a permanent appointment is made by the Appointing Authority, the appointment made on the basis of acting or attending to duties to such post shall automatically cease.
141. Where a permanent appointment is made to a post, no officer shall be afforded any special entitlement to such post or any special advantage or any additional amount of marks under the Service Minute or the Scheme of Recruitment solely on the basis of his having acted or attended to duties in that particular post.

## Chapter X

### Efficiency Bar

#### General

142. A public officer shall fulfil the requirements of the Efficiency Bar as stipulated in the Service Minute or the Scheme of Recruitment, for confirmation in the appointment or promotion to a higher post or to pass a specific salary step.
143. Efficiency Bar Examinations shall be conducted by the appropriate authority as prescribed in the Service Minute or the Scheme of Recruitment.
144. Where the Service Minute or the Scheme of Recruitment does not specify the authority who should conduct the Efficiency Bar Examinations, such Efficiency Bar Examinations shall be conducted by the Appointing Authority or an officer or institution designated by the Appointing Authority.
145. A public officer who has passed the Efficiency Bar Examination shall be issued a letter in the format of Appendix 11 without delay by the Appointing Authority stating that he has passed the relevant Efficiency Bar Examination. Furthermore, the appropriate officer shall take action to attach a photocopy of such letter to the relevant form required for the approval of the next salary increment of the public officer.
146. The effective date of passing an examination for the purpose of confirmation of an appointment to a permanent post or promotion or passing an Efficiency Bar will be the date of conducting that examination at which the officer fulfils the requirement. If, however, no examination has been held on the prescribed date by any means, the effective date of passing such examination by an officer shall be determined by the Commission having regard to the reason for the delay in holding the examination.
147. The effective date of passing an Efficiency Bar Examination by an officer shall be the commencing date of the examination at which he completes such requirement of the Efficiency Bar.
148. Where an officer is required to acquire a postgraduate degree or diploma or equivalent qualification as a requirement for completing the Efficiency Bar Examination, the date stated as being valid in such certificates shall be reckoned as the date on which he completes the requirement of the Efficiency Bar. However, where the effective date mentioned in such certificates is a date prior to the appointment of the officer to the service, that officer can accordingly be released from the requirement of the relevant Efficiency Bar.

#### Delay in passing the Efficiency Bar Examination

149. Where a public officer fails to pass an Efficiency Bar Examination on the due date, the Appointing Authority or the Administrative Authority or the Head of the Department or the Head of the Institution, as the case may be, shall defer the salary increment of the public officer with effect from that date and formally inform the officer of such fact. When the increments are deferred by the respective Head of the Department or Head of the Institute, a copy of the letter informing the officer of such fact should also be sent to the Appointing Authority and the Administrative Authority.

150. It shall only be with the approval of the Public Service Commission or an authority with delegated power, that a public officer who could not complete the Efficiency Bar Examination on the due date owing to any special reason beyond his control may be granted an extension of the prescribed time to pass such examination. The officer shall prior to lapse of a period of one year after passing the prescribed Efficiency Bar Examination make a request for such extension in writing in the prescribed form to the Public Service Commission or the authority with delegated power.
151. The public officer may be allowed to draw his salary increments during the period so extended. Furthermore, such an extended period shall not be an impediment for the promotions or for the seniority of the officer.
152. If an officer does not pass the prescribed Efficiency Bar Examination during the extended period referred to in 150, the salary increment that falls due immediately after the expiry of such period shall be deferred by a period of time equal to the time taken in excess of the extension allowed to pass the Efficiency Bar Examination.

### **Departmental Examinations**

153. The departmental examinations, as appropriate, shall be included in the relevant Service Minute or the Scheme of Recruitment submitted for the approval of the Public Service Commission.
154. A method or system should be drawn up for each departmental examination stipulated for confirmation and promotion. It shall be the responsibility of the Head of the Department or the Head of the Institution to ensure that such method or system is formulated and that the relevant examination is held on the due dates.
155. The Appointing Authority shall take action to duly inform the officers concerned of the date on which the departmental examination is held at least three weeks before the closing date of the applications for it.

## Chapter XI

### Seniority

#### 1. Seniority List

156. It shall be the responsibility of the Appointing Authority to prepare and continue to update the seniority list.
157. It shall be the responsibility of the respective Administrative Authority to prepare and continue to update the seniority list of the services over which the Public Service Commission is the Appointing Authority.
158. It shall be the responsibility of the authority referred in Sections 156 or 157 to publish the seniority list updated as at the 01<sup>st</sup> day of January and the 01<sup>st</sup> day of July every year.

#### Determination of Seniority

159. The seniority of officers in a class or grade of a particular service shall be determined based on the dates on which each of such officers was appointed to such class or grade in that particular service and the seniority of officers serving in the posts carrying equal status in a particular department or institution shall be determined based on the dates on which each of such officers assumed duties of that particular department or institution.
160. Where more than one public officer had assumed duties on a particular day, their seniority shall be determined in the order of cumulative total of marks obtained by them at all the tests held for recruitment in accordance with the Service Minute or Scheme of Recruitment. Where there are officers who had obtained equal marks, all of them shall be treated as having the same seniority.
161. Seniority of an officer in a grade or class shall only be altered in the following instances.
- I. Where he fails to pass the Efficiency Bar Examination as at the due date;
  - II. Where his probationary period is extended in terms of Section 125 of Chapter VIII of these Procedural Rules;
  - III. Where an order of demotion in seniority is made as a disciplinary punishment.
162. When an officer is reverted to his previous post, his seniority in the post or grade to which he is reverted will be determined in accordance with the following rules.
- I. Where an officer is demoted in seniority or rank and is reverted on disciplinary grounds to a lower grade or post that he held previously, his seniority in the lower grade or post on such reversion shall be determined in accordance with the order of the Disciplinary Authority.
  - II. When on abolition of office or due to redundancy, an officer is reverted with the approval of the Appointing Authority to a post or grade previously held by him, his seniority in the post or grade to which he is reverted should, with the approval of the Public Service Commission, be determined on the basis of the aggregate service he counts in that relevant post or grade. Accordingly, he will be junior to all officers whose length of service in that post or grade is equal to or more than the aggregate of his service in that particular post or grade. If he has not passed an Efficiency Bar Examination, he will not be placed in seniority over any officer who has been promoted having passed the Efficiency Bar Examination.
  - III. If an officer is reverted at his own request and with the approval of the Appointing Authority to a post previously held by him, such reversion will be treated as a new appointment and his seniority will be determined by the date of reversion. Where, however, a salary step higher than the initial is allowed to such officer with the

approval of the Director General of Establishments as per the provisions stated in the Establishments Code, his seniority may, with the approval of the Commission, be determined with reference either to the length of service in that post at the time he relinquished it or the time an officer appointed on the initial of the salary scale would take to reach that salary step, whichever is less.

- IV. An officer who has been temporarily released on no pay leave for a post outside the public service (see Chapter XII) will retain his seniority in his post or grade subject to his passing any Efficiency Bar Examination which he is required to pass, provided that the no pay leave is deemed to have been granted on grounds of public policy for purposes of the Minutes on Pensions.
- V. Where no pay leave is not granted or not deemed to have been granted on grounds of public policy for the purpose of Section 10 (1) of the Minutes on Pensions, the period of such temporary release will not count for seniority and such officer will rank as junior to all those officers whose length of service in the particular post or grade on the date on which he reverts to his former post is more than his service up to the date on which he was temporarily released.
- VI. Where an officer on being appointed to a new post in the public service itself is duly reverted or returned to his former post by the Appointing Authority during the training period or probationary period related thereto for reasons other than disciplinary grounds, the period served by such public officer in such post he subsequently held shall be treated as part of his service in determining his seniority in his former post.

163. An officer who has been permanently released in terms of the provisions in Chapter XII shall have no right of reversion to his former post or service.

- I. However, the Commission may consider a request for reversion of an officer to his former post or grade within a period of one year from the date of his release only upon the following circumstances.
  - I. Medical grounds concerning the officer;
  - II. Legal matters;
  - III. Policy decisions made by the government.
- II. Notwithstanding the other provisions set out in these Procedural Rules, the reversion to such post will be regarded for all purposes as a new appointment made outside the scheme of recruitment and his seniority will be determined as at date of his reversion to such post. However, such officer shall have the right to a higher seniority over another officer who has received appointment on the date he is reverted to such post.

164. On reemployment, the seniority of an officer will be determined in accordance with the following rules.

- I. Where an officer who has retired is reemployed in the same post or grade from which he retired, his seniority will be determined by the period he had served in the post or grade from which he retired, up to the date of his retirement.
- II. Where an officer who has retired is reemployed in a post or grade other than that from which he retired, his seniority will be determined by the date of his reemployment.
- III. Where an officer whose prior services have been terminated by resignation or vacation of post or by reason of unsatisfactory work and conduct is reemployed, he will not be entitled to any claim for seniority on account of his past services. His seniority will be determined by the date of his reemployment.

## Chapter XII

### Release of a public officer

#### Release for appointment to another post in the public service

165. If an officer holding an appointment in the public service wishes to obtain an appointment to another post in the public service, he should secure his release from the appointment he holds.
166. The application to secure such release shall be made to the Appointing Authority through the Head of the Department or Head of the Institution in accordance with the Appendices 12 or 13, as the case may be.
167. The Appointing Authority shall not refuse an application for release by an officer unless,
- I. The officer is under a bond to serve in that post or Department;
  - II. Even though he is not under a bond, he has been specially trained to perform the duties of his post;
  - III. It would very seriously affect the work of that Department to the extent that it out-weighs the consideration that the government will still have the benefit of his services in a different capacity.
168. If an officer has received a special training to perform the duties of the post he holds as referred to in Section 167 above, he should be released for service in a new post only if his training will be of direct use in the new post he seeks.
169. If an officer holding an appointment in the public service is selected to another post in the public service for which he is required to undergo training, he shall be released for such training.
170. Where an officer so released for training is unable to secure the appointment upon completion of the training, such officer shall be reverted to his substantive post.
171. The Head of the Department should obtain the approval of the Secretary concerned before releasing an officer or recommending his release to the Appointing Authority if it would adversely affect, to any appreciable degree, the work of the Department.

#### Release for a post outside the public service

172. The instances where a public officer may be released by the Appointing Authority from the public service temporarily or permanently either at the officer's own instance or on a need of the government with the consent of the officer, shall be as follows. However, the confirmation of the officer in service is a basic requirement for the purpose of temporary or permanent release set out in I to XII below.
- I. To the provincial public service;
  - II. To a post in the Presidential Secretariat;
  - III. To a post in the staff of Parliament of Sri Lanka;
  - IV. To an approved post in the staff of Parliament or a Provincial Council or a Representative of the People or a Provincial Governor;
  - V. For service in a Volunteer Force;
  - VI. For service in a Commission appointed by the President under the Commissions of Inquiry Act or for service in a commission established under the Constitution or any other law;
  - VII. To a post in a government university recognized by the University Grants Commission;
  - VIII. To a post in a public corporation or statutory body;
  - IX. To a post in a project implementing under local or foreign funds;

- X. To a post in a company owned by the government;
  - XI. To a post in a company of which the government holds more than 50% of shares and/or controlling interest;
  - XII. For taking up employment in an intergovernmental agency such as United Nations, World Bank and International Monetary Fund;
173. The government unless otherwise decided as a policy, the Appointing Authority shall not refuse to release an officer who seeks to better his future prospects unless:
- I. The officer is under a bond to serve in that post or the Department concerned;
  - II. He has been specially trained to perform the duties of his post;
  - III. It would adversely affect the work of his Department owing to his release;
  - IV. Where the public officer is not confirmed in his post or service;
  - V. Where the officer has not passed the required Efficiency Bar Examinations and/or departmental examinations on the date he seeks release from public service;
  - VI. Where disciplinary action against the officer is in progress, or is contemplated against him; (Disciplinary action contemplated herein means that a preliminary investigation in connection with the incident have been initiated or the explanations thereon have been called for from the officer concerned.)
  - VII. Where there is legal proceeding against the officer relating to any matter connected with the government;
  - VIII. Where the period specified in a legal agreement binding the officer for service to the government for a particular duration is pending;
  - IX. Where it is clearly apparent that the release of such officer if effected, will cause a problematic or difficult or adverse situation to the performance or maintenance of duties in the Department or the Institution in which the officer is already working;
  - X. Where no arrangements have been made to settle in full or in instalments the balance of a loan obtained by the officer from the government, in accordance with the relevant regulations and circular instructions;
  - XI. Where there is an outstanding amount of money due to the government from the officer other than the unsettled loans;
  - XII. Where he has not absolved the government of all responsibilities regarding any pending relief or privilege granted to him by some other party under the government securities when he was serving as a public officer;
  - XIII. Where the government, when such officer has entered into a surety agreement or any other similar bond with the government, has not entered into a surety agreement with a new surety following the introduction of such new surety;
  - XIV. When the concurrence of the Secretary to the Ministry in charge of the Department where such officer serves has not been received.
174. The provisions in Section 173 shall be subject to the following exceptions.
- I. If an officer has received a special training to perform the duties of the class or grade or post he holds as referred to in Sub Section II of Section 173 above, he may be released for service in a new post only if his training will be of direct use in the new post he seeks.
  - II. If the relevant Provincial Council to which an officer is to be released has given an undertaking in writing to recover the balance of the loan in instalments from the public officer and remit same to the relevant Head of the Department, such balance of a loan shall not be an impediment for his release.
175. The government unless otherwise decided as a policy, the periods for which the Appointing Authority may release a public officer from the public service on temporary basis shall be as follows.
- I. For a period agreed upon by both parties to a post in a volunteer force or a post in the staff of Parliament of Sri Lanka or a post in the Presidential Secretariat or for an officer of the All Island Service, to a post in the provincial public service;
  - II. For a period requested by a Commission appointed by the President under the Commissions of Inquiry Act, for a particular post in such Commission;

- III. For a period not exceeding 05 years to a post in a University in Sri Lanka recognized by the University Grants Commission or to a post in a public corporation or a post in a government project or a post in a company owned by the government or a post in a company of which the government holds more than 50% of shares and/or controlling interest;
- IV. For a period not exceeding two years to work in a Welfare Association of public officers;
- V. For a period, an officer holds a post in the Trade Union for service in a Trade Union with an approved number of active members and registered in the Department of Labour;
- VI. For a period not exceeding 05 years, for an officer confirmed in service to take up employment in an intergovernmental agency such as United Nations Development Programme and World Health Organization with the concurrence of the government.
176. An officer may be released for a post outside the public service only with the sanction of the Appointing Authority and any other authority whose concurrence is required by the law under which the Institution concerned is constituted.
177. Every such release requires the concurrence of the Appointing Authority to ensure the preservation of pension rights of an officer during a period of temporary release to a post outside the public service and, in the case of permanent release, the conferment of benefits under the Minutes on Pensions in respect of services under the government.
178. Where the request for release is made by a public officer at his own instance, he shall apply to the Appointing Authority as per Appendix 12 and where it is made on the needs of the government or public policy, the Secretary to the Ministry to which the officer is proposed to be appointed shall make the request to the Appointing Authority in the format of Appendix 13 along with a letter of consent from the officer.
179. An officer with a remaining period of less than 3 years to reach the age of compulsory retirement should not be released temporarily or permanently for service to a post outside the public service at the instance of the officer, unless-
- I. There is no other suitable officer in the service of the Institution concerned who could be appointed to the post;
  - II. It has been found after advertisement that there is no suitable person who could be recruited to the post from outside the Institution.
180. If an officer is released temporarily, he may be released for a period of 2 years at the first instance with subsequent extensions of one year at a time, subject to a maximum period of 5 years.
181. Where an officer has been temporarily released to a post outside the public service on the need of the government or the grounds of public policy, he shall be deemed to have been on no pay leave on grounds of public policy for the purpose of Section 10 (I) of the Minutes on Pensions. Any period involving such release shall be reckoned as an active period of service for a purpose whatsoever.
182. The pension contribution in respect of a public officer on temporary release to a post outside the public service shall be 25% of his consolidated salary. This applies to all cases of temporary release, irrespective of purpose, where a pension contribution is stipulated.
183. The government unless otherwise has decided as a policy, when an officer is released at his own instance, he will be granted no pay leave and he will not be entitled to the benefits of Section 10 (1) of the Minutes on Pensions. He will not be considered for promotion to any vacancy or grade to grade promotion which may arise during the period of his release.

184. If an officer is permanently released for post in an institution outside the public service, the terms and conditions of his release will be governed by the law under which that Institution is constituted and by the relevant provisions of the Minutes on Pensions.
185. An officer in the public service who wishes to become or to be a member of the Volunteer Force or the Volunteer Reserve of the Security Forces or any such person who is a member of that Force or Reserve, should be released and provided all facilities to undergo and to render such military training and military service on production of a document from the Commander of the relevant Force or from any authority duly authorized to do so on his behalf.
186. The release of an officer to a post outside the public service on temporary basis shall end in any one of the following instances. In such an event it shall be the responsibility of the Appointing Authority to recall the officer to his former service or post.
- I. When the period of release ends;
  - II. When the respective Head of the Institution to which the officer was released has reported that his services are no longer needed by it;
  - III. The closure of the institution to which such officer was released.
187. However, The Commission may take action on an officer released as stated in I, II, and IV under Section 172 disregarding the conditions and limitations stipulated in this Chapter.
188. **Reversion to former post**
- I. An officer who has resigned or has been permanently released from his post to accept another post whether in the public service or outside it, will have no right of reversion to his former post.
  - II. In case of reversion, if permitted, will be regarded for all purposes as a new appointment made outside the Scheme of Recruitment, and will, in all cases, require the approval of the Appointing Authority and the Commission.
189. Where reversion is so permitted, the seniority of the officer on reversion will be determined by Sub Section II of Section 163 of Chapter XI.

### Chapter XIII

#### Reemployment or Reappointment in the public service of a person retired from the public service

##### General

190. The authority for reemployment of an officer retired from the public service shall be vested only with the Public Service Commission
191. A person who has retired from the public service on reaching the age of compulsory retirement may be reemployed only on contract basis. Such an appointment at a time shall be limited to a period of one year. However, this shall be executed subject to the policy decisions taken by the government from time to time.
192. The following persons are not eligible for reemployment in the public service.
- I. a person who has opted on his own motion to retire on a government policy decision;
  - II. a person against whom disciplinary action has been initiated or who has been subject to disciplinary punishment against an offence set out in the First Schedule of Volume II of the Establishments Code during the period of three years immediately preceding his retirement;
  - III. a person retired under Section 12 of the Minutes on Pensions;
  - IV. a person not qualified for appointment to the public service as set out in Chapter V.
193. In the reemployment of a person who has retired from the public service, the letter of appointment shall be issued in the format of Appendix 04 with amendments where necessary.
194. A person who has retired from public service otherwise than in a manner set out in Section 192 above before reaching compulsory age of retirement shall not be reappointed in a post in the public service except under exceptional circumstances. If such a person is reappointed to the public service, it shall be so done on the basis of freezing his pension until he reaches the age of compulsory retirement.

##### Reemployment of a person retired on medical grounds

195. A person who has been retired from the public service on medical grounds may be reemployed by the Commission to fill a vacancy in the class or grade or post from which he retired, only upon all the following conditions being satisfied.
- I. He is not subject to disqualification under (II) or (IV) of Section 192;
  - II. A duly constituted Government Medical Board has certified that his physical and mental health is fit enough to perform satisfactorily the duties of the respective post;
  - III. He has not reached the optional age of retirement at the time he is reemployed;
  - IV. At least one year has elapsed since the date of retirement.
196. Where a person who had been retired on medical grounds is reemployed, his pension shall be frozen and he shall be placed on the salary point he drew at the time of retirement or on the corresponding salary point if there had been a salary revision.
197. A person who is reemployed or reappointed shall be issued a letter of appointment setting out the terms and conditions of his reemployment or reappointment.

## Chapter XIV

### Termination of Appointment and Resignation from public service

#### Termination of Appointment

198. The Appointing Authority is vested with the power to terminate an appointment of a substitute employee or temporary officer or a casual officer without giving prior notice or reasons. However, he shall record in the respective file the reasons for such decision.
199. The Appointing Authority may terminate the services of a public officer on probation, within his period on probation, in accordance with the provisions in Chapter VIII.

#### Resignation

200. A public officer cannot resign with retrospective effect under any circumstances.
201. Where a letter of resignation is received from a public officer in terms of Section 56 of Chapter VI by a Head of the Department, he shall forthwith clarify the following matters.
- I. that there are no disciplinary proceedings pending against the officer or that there is no prima facie case indicating immediate initiation of such proceedings or that no disciplinary action is contemplated against the officer;
  - II. that there is no agreement or bond binding the officer for a specified period of service to the government;
  - III. that there is no sum of money whatsoever due to the government from the officer;
  - IV. that he has absolved the government of any pending responsibilities as regards relief and privileges provided to him by a third party on surety furnished by the government when he was serving as a public officer;
  - V. that all the public properties with the officer have been returned;
  - VI. that there are no legal proceedings pending against the officer on a matter in connection with the government;
  - VII. that he has provided another surety for any surety agreement he has entered into with the government and that the other surety has entered into a new surety agreement with the government.
202. Where it appears to the Head of the Department that the resignation of the public officer cannot be accepted due to any of the reasons mentioned in Section 201 above, a full report together with certified copies of supporting documents shall be sent forthwith by the Head of the Department to the Appointing Authority with the letter of resignation of the officer.
203. Where the Head of the Department is satisfied that no impediment is caused by any matter referred to in the Sections above for the acceptance of the resignation, he shall forward without delay his report and recommendations together with the letter of resignation to the Appointing Authority.

204. Subject to the provisions of Section 206 below, when an officer resigns from his post, he shall forfeit all claims to a pension or gratuity and all the entitlements and benefits arising from his service prior to resignation and he shall be so informed in writing within 7 working days by the Head of the Department or the Head of the Institution.
205. An acknowledgement from the officer that he has been informed of the terms stated in Section 204 above should be obtained in writing by the Head of the Department or the Head of the Institution.
206. The officer should be informed in writing that if the resignation is accepted, no application to withdraw it later shall be considered.
207. The Appointing Authority, after consideration of the report and recommendation of the Head of the Department, shall inform the public officer concerned, through the Head of the Department, in writing that the resignation has been accepted with effect from the date such officer has requested for resignation.
208. Where after the Head of the Institution receives the letter through which the acceptance of the resignation was informed by the Appointing Authority as per Section 207 above, he shall forthwith communicate it to the officer concerned and, in case the officer has already reported to duty after exceeding the date from which he requested for resignation, his resignation date shall come into force from the date immediately after the last day he reported to duty. In such instances, it shall be the responsibility of the Head of the Department to obtain the approval of the Appointing Authority for the date so amended.
209. Where the Appointing Authority decides that the resignation cannot be accepted, the Appointing Authority shall immediately communicate such fact to the officer concerned through the Head of the Department together with reasons for such decision.
210. An officer who is in receipt of a notice that his resignation cannot be accepted in terms of the above Section shall have to serve the government further. In case such officer fails to report for duty, the officer shall be deemed to have vacated his post on his own accord and action shall be taken in terms of Chapter XV.

## Chapter XV

### Vacation of Post

#### General

211. Every public officer shall report for duty unless his leave has been formally approved.
212. Where at any time a public officer is unable to report to his duty station, it is his responsibility to inform the relevant authority of such inability well in advance and have his leave duly approved so that the latter may take alternative measures to ensure that the work assigned to him is attended to.
213. However, where a public officer is unable to report for duty owing to unavoidable circumstances without getting his leave approved, it shall be the responsibility of the officer to somehow inform the Head of the Institution of his absence within 24 hours of the time of commencement of his duty on that particular day.
214. A public officer who absents himself from duty without informing his Head of the Institution as stated above shall be deemed to have vacated his post. It shall be the responsibility of the Appointing Authority or the Head of the Department or Head of its Provincial/ District/ Divisional Office or the Head of the Institution, as the case may be, to issue a Notice of Vacation of Post to the officer concerned forthwith by registered post, in the format of Appendix 14. If the vacation of post notice is issued by an authority other than the Appointing Authority, he shall send copies to the Appointing Authority and to other relevant authorities.
215. A charge sheet against an officer who is deemed to have vacated post should not be served, nor should call upon to submit explanation for his absence without leave.
216. If a person who is deemed to have vacated his post, submits an appeal in writing to his Disciplinary Authority giving an explanation regarding his absence and requesting reinstatement in service within three months of the date on which the Notice of Vacation of Post was served, the Disciplinary Authority should consider his appeal in terms of the disciplinary rules.
217. If the Disciplinary Authority upon receipt of an appeal is of the view that the officer has not reported for duty due to acceptable reasons, he may order either the reinstatement or the reappointment of the officer in any of the following manner.
  - I. With appropriate disciplinary punishments;
  - II. Subject to appropriate conditions;
  - III. With appropriate disciplinary punishments and appropriate conditions;
  - IV. Without punishments and conditions.
218. The total period of absence from service of the officer reinstated or reappointed in accordance with Section 217 above shall be treated as no pay and such period shall not be considered as one that has an entitlement for the purpose of any promotions or computation of pension benefits or granting of salary increments or any other benefits.

219. If the Disciplinary Authority considers that the matters set out in the appeal are unacceptable, he may reject the appeal for reinstatement.
220. The Disciplinary Authority should record the reasons for his decision in the relevant file. Furthermore, he should also duly communicate his decision to such officer.
221. Where an officer who has not been duly served with a vacation of post notice as stated in Section 214 above requests to report for duty, the Appointing Authority may order the Head of the Institution or the Head of the Department to issue a Notice of Vacation of Post to such officer as per Section 214 above. An appeal received upon a vacation of post notice may nevertheless be dealt with in accordance with Sections from 215 to 220 above.
222. Where the Disciplinary Authority is not being the Public Service Commission, an officer may appeal against such decision or order made under Section 217 or 219 above to the Commission within six (06) months from the date of such decision or order.
223. The Commission may, upon consideration of such an appeal, alter or vary or rescind or confirm the decision or order made by the Disciplinary Authority or give some other appropriate direction as the Commission shall deem fit.
224. A public officer who is aggrieved by a decision or order made by the Commission may prefer an appeal to the Administrative Appeals Tribunal in terms of the provisions set out in the Administrative Appeals Tribunal Act No. 4 of 2002.

## Chapter XVI

### Retirement

225. The retirement of a public officer is governed by the Public and Judicial Officers (Retirement) Ordinance, Rules made under that Ordinance, Minutes on Pensions and by the policy decisions of the government.
226. Subject to the provisions of the Public and Judicial Officers (Retirement) Ordinance and any policy decision of the government, the optional age of retirement of an officer shall be 55 years.
227. The officer shall be granted the right to retire at his discretion after giving 03 months' notice between the period from age of 55 years to the compulsory retirement age subject to the Sections 228, 229 and 230 below. However, if the relevant Appointing Authority decides that the officer's efficiency and condition of service is not satisfactory after the age of 57 years or after a particular age limit approved by the Cabinet of Ministers, the power to retire him shall be delegated to the Appointing Authority having provided the officer with 06 months' time so as to afford him an opportunity to make an appeal against it.
228. Where disciplinary proceedings are pending against an officer or such disciplinary proceedings are contemplated, the retirement of the officer shall be made in terms of Section 12 of the Minutes on Pensions. It shall be the duty of the Head of the Department and/ or Head of the Institution to bring such matters to the notice of the Appointing Authority when requests for retirement of public officers are made.
229. Where the officer commits an offence warranting disciplinary action against him after his retirement has been approved by the Appointing Authority, the order for such retirement shall be converted from normal retirement to that of a retirement under Section 12 of the Minutes on Pensions by the Appointing Authority, when such offence is brought to the notice of the Appointing Authority before the effective date of retirement and shall serve or cause to be served a copy of such order on the officer by the Appointing Authority.
230. Where the Appointing Authority has granted a normal retirement to a public officer on the basis that no disciplinary proceedings are pending or contemplated against an officer and if any pending disciplinary proceedings or contemplated disciplinary action is brought to the notice of the Appointing Authority after the normal retirement has been granted and before the effective date of retirement, the Appointing Authority shall convert the normal retirement to a retirement under Section 12 of the Minutes on Pensions and shall serve or cause to be served a copy of the order on the officer concerned.
231. In order to pay the pension without delay to an officer following his retirement, it shall be the duty of the Administrative Authority and the Head of the Department or the Head of the Institution, at least nine months before the optional age of retirement, to ensure that the personal file and history sheet of the officer is complete, accurate and updated and maintained in such manner until the officer reaches his date of retirement.
232. Where an officer retires from the public service, the respective Appointing Authority or Administrative Authority or Head of the Department or Head of the Institution shall forward to the Director General of Pensions, all documents required to pay his pension at least three months before the date of his retirement.

## Chapter XVII

### Procedure governing Promotions

#### General procedure

233. In terms of Article 55 (3) of the Constitution, the power of promotion of public officers is vested in the Public Service Commission. The Commission may delegate such power, as the case may be, to a committee or a public officer in terms of Articles 56 (1) or 57 (1) of the Constitution.
234. Every promotion in the public service shall be made only in accordance with the approved Service Minute or Scheme of Recruitment. It shall be the responsibility of the Appointing Authority to promote public officers in compliance with the provisions of the Service Minutes or Schemes of Recruitment approved by the Commission within the prescribed periods.
235. Before making a promotion, it shall be the responsibility of the Appointing Authority to satisfy himself that a vacancy in the approved cadre exists in all promotions except in the case of a grade to grade promotion made irrespective of the vacant positions where an officer has acquired all the necessary qualifications.
236. A public officer should earn his promotion by achieving satisfactory service and fulfilling other qualifications as prescribed in the Service Minute or the Scheme of Recruitment, as the case may be.
- I. Where an officer has not been granted his due annual salary increments for legitimate reasons, the period during which the increment had stood suspended or reduced or stopped or deferred and where an officer has been found guilty of an offence punishable under First Schedule of offences, a period of three years from the date of commitment of the offence and where an officer has been found guilty of an offence falling under Second Schedule of offences, a period of one year from the date of commitment of the offence, shall be excluded in computing his period of satisfactory service.
  - II. It should be considered ineligible to recruit an officer under limited and merit (service experience) streams or for grade promotion made on the number of vacancies as per the Schemes of Recruitment and Service Minutes on whom a disciplinary punishment has been imposed for an offence set out under the First Schedule of Offences of Chapter XLVIII of the Establishments Code, an officer on whom a disciplinary punishment has been imposed for an offence set out under the Second Schedule of Offences of Chapter XLVIII of the Establishments Code and an officer on whom a disciplinary punishment has been imposed for an offence under Section 25.2 of Chapter XLVIII of the Establishments Code following the Summary Disciplinary Procedure for a period of five (05) years, two (02) years and one (01) year respectively from the date of the commitment of the offence by the officer concerned.
237. In counting the period of service for a promotion in the public service, only the period of active service in the officer's respective service, class or grade should be taken into account.

238. It shall be the duty of the Appointing Authority or the Administrative Authority to conduct the relevant examinations, professional tests, interviews etc. on the due dates in order to provide public officers with an opportunity to acquire qualifications necessary for promotion.
239. Notwithstanding the provisions contained in Sections 35, 36 and 37 of Chapter III, where the Appointing Authority makes a decision to promote an officer in a service from one grade to another after the due date and whereupon the Appointing Authority considers that the public officer concerned is in no way responsible for such delay in the decision regarding his promotion, the Appointing Authority shall take action to grant such promotion with effect from the due date. Before the decision, the Appointing Authority should satisfy himself that the officer has fulfilled all the requirements for his promotion by that due date, irrespective of the fact that the officer is no longer in service or retired or deceased.
240. However, where a promotion is made on the results of a written examination and/ or an interview or based on vacancies, such promotion shall come into force to be effective as from the date on which the officer concerned had fulfilled such qualifications.
241. Where marks are allocated to an officer for examinations, professional tests and interviews for evaluating eligibility conducted in accordance with the approved Service Minute or the Scheme of Recruitment, the approved marking scheme should be included in the advertisement calling for applications for such promotions or should be made known before holding the interviews.
242. Where an internal promotion is made to a post on the basis of seniority and merit, the date of promotion to the post should be clearly stated in the advertisement calling for applications. If the relevant Service Minute or the Scheme of Promotion or Recruitment unless otherwise provided for, the date of promotion should be decided taking into consideration the following facts.
- I. Availability of financial provisions to fill the vacancy;
  - II. The need to fill the vacancy;
  - III. The need to minimize the payment of arrears of salary.

When the date of promotion and the closing date for applications stated in the advertisement are two different dates, the applicants should fulfil the required qualifications as at the date of promotion and the criteria of their seniority and merit should be assessed at the relevant interviews for evaluating eligibility based on the date of promotion.

243. The provisions in Chapter VII on “Procedure to be followed in Recruitments and the Appointments” in these Procedural Rules shall apply, as appropriate with regard to the promotions as well.

## Chapter XVIII

### Transfer

#### General

244. Every public officer is subject to transfer.
245. A transfer should not be made as a matter of routine. A transfer should be made only upon any one of the objectives described under Section 246 below.
246. Transfers are fourfold as indicated below.
- I. Transfers made annually;
  - II. Transfers made on exigencies of service;
  - III. Transfers made on disciplinary grounds;
  - IV. Non annual transfers on requests made by the public officers.
247. A public officer is transferred to achieve all or several or any one of the following objectives.
- I. to fill a vacancy in an institution;
  - II. to meet the administrative requirements of an institution;
  - III. to promote the efficiency and productivity of an institution;
  - IV. to facilitate a disciplinary action contemplated;
  - V. to implement a disciplinary order;
  - VI. to provide the officer with an opportunity to gain experience in a wider field;
  - VII. to provide the officer with an opportunity for career development and to improve his skills;
  - VIII. to provide relief for personal difficulties experienced by an officer.
248. It shall be a responsibility of the Head of the Institution/ Head of the Department/ Secretary to the Ministry to formally release an officer under a transfer order from his present duty station so as to enable him to report for duty to his new station with effect from the prescribed date.

#### Annual Transfers

249. Internal attachment within a Ministry or a Department or a government institution that does not involve a change of duty station shall not fall within the meaning of annual transfers.
250. Annual Transfer Committees
- I. The authority with delegated power shall before the 1<sup>st</sup> of June each year constitute Annual Transfer Committees within Ministries and Departments to seek proposals on annual transfers.
  - II. The authority with delegated power shall set up separate Annual Transfer Committees for each service or category of public officers in a Ministry or Department where the number of such officers in each service or category exceeds 50. However, an authority with delegated power may under special circumstances and at his discretion, appoint an Annual Transfer Committee in a Ministry or Department even where the number of officers is less than 50.

III. The composition of an Annual Transfer Committee of a Ministry or Department shall be as follows.

- i. A relevant deputy head or in the absence of such a post the senior most assistant head of the relevant Ministry or Department;
- ii. A senior public officer in charge of establishments matters in the relevant Ministry or Department;
- iii. One representative of either-
  - a) Each Trade Union in the Department or of the Services having a membership of 15 percent or more of the total number of officers in that Department or relevant Services or,
  - b) Each Trade Union of which an officer has been released for full time for Trade Union work.

IV. Annual Transfer Committees in relation to officers in the Combined Services shall be set up by the Director General of Combined Services in terms of Sub Section III above.

V. Where there is a grave disparity in the opportunities to serve in the popular work stations between the Departments under a particular Ministry, a transfer committee should be set up in such Ministry to effect transfers of officers between the Departments of same Ministry with a view to providing services to officers.

VI. Following instances shall not include the scope of an Annual Transfer Committee.

- i. Internal attachment worked out in a government institution in a manner that does not involve a change of duty station;
- ii. Transfers made by a disciplinary order or on the exigency of a disciplinary action;
- iii. Transfers made on the exigencies of service;
- iv. Non annual transfers made on the requests of public officers.

#### 251. Scheme of Annual Transfers

- I. The authority with delegated power shall, in accordance with the policy of the government and the special needs of a relevant Ministry or Department and in consideration of the conditions in the Service Minutes or Schemes of Recruitment of the respective services and posts, prepare the policies and procedures on annual transfers of such Ministry or Department and forward to the Commission for approval.
- II. Annual Transfers shall be effected in terms of approved Schemes of transfer.
- III. When preparing the Schemes of Annual Transfers, the authority with delegated power shall take the following matters into consideration.
  - i. Grading of duty stations into categories such as unpopular, popular and highly popular based on the geographical location of such duty stations, approved financial benefits, other perks and privileges and the number of transfer requests received.
  - ii. The minimum period a public officer should serve in a particular duty station to be eligible for applying annual transfers.
  - iii. The maximum period a public officer is allowed to serve in a particular duty station.
  - iv. Matters based on which a public officer may make an application of annual transfers.
  - v. To provide an opportunity for a public officer to improve his knowledge and skills in a wider field.
  - vi. To prevent the attempts by officers to remain continuously in the same area obtaining transfers between the duty stations located geographically within one and the same area.
  - vii. The Scheme of Transfers approved by the Public Service Commission as well as any amendments made by the Public Service Commission at a later stage should be brought to the notice of all relevant officers.

## 252. **Calling Applications for Annual Transfers**

- I. The authority with delegated power may before the 30<sup>th</sup> of June every year issue the notice calling for applications for annual transfers from public officers. He should in the notice state that the applications for annual transfers should be submitted to him on or before the 31<sup>st</sup> of July.
- II. The authority with delegated power should take steps to hand over the annual transfer applications received by him to the relevant Annual Transfer Committee before the 10<sup>th</sup> of August.
- III. Annual Transfer Committee shall consider only the application submitted in accordance with the relevant Scheme of Transfer.

## 253. **Publishing the Proposed Annual Transfer Orders**

- I. In making its proposals the Annual Transfer Committee shall take into consideration the Scheme of Annual Transfer approved by the Public Service Commission, the provisions in this Chapter and policies of the government related to transfers.
- II. The Annual Transfer Committee may submit its proposals in writing to the authority with the delegated power before the 31<sup>st</sup> of August every year. It shall be the duty of each Annual Transfer Committee to duly record the reasons for its recommendations.
- III. The authority with delegated power shall take action to approve and publish the notice on the proposed annual transfers before the 15<sup>th</sup> of September every year.
- IV. The notice shall contain the last date on which any representation should be made to the authority with delegated power by any public officer who is dissatisfied with such transfer order. Provided however, the maximum period for such representation shall not exceed 14 days inclusive of holidays.
- V. An officer who wishes to make representations regarding the proposed annual transfer order relating to him should make such representations in the format of Appendix 15 to the authority with delegated power through the Head of the Institution or the Head of the Department to reach him on or before the date given in the said notice.
- VI. The officer may submit a copy of his representations direct to the delegated authority, if he so wishes. It shall be the responsibility of the relevant Head of the Department or the Head of the Institution, as the case may be, to refer such written representations submitted to him by the relevant officers to the authority with delegated power to reach him on or before the date specified in the Annual Transfer Notice.

## 254. **Annual Transfer Proposals Review Committees**

- I. The authority with delegated power shall appoint an Annual Transfer Proposals Review Committee before the 15<sup>th</sup> of September to review the proposals of the annual transfers based on the representations made in terms of Sub Section V of Section 253 above.
- II. The Annual Transfer Proposals Review Committee shall consist of an officer served in an annual transfer committee and an executive level officer nominated by the Head of the Department and the executive level officers nominated by the authority with delegated power. However, the maximum number of members shall not exceed five.
- III. The Annual Transfer Proposals Review Committee may take steps to submit its written recommendations on the proposed annual transfers to the authority with delegated power on or before the 15<sup>th</sup> of October. It shall be the duty of the Annual Transfer Proposals Review Committee to indicate in their report the reasons for its recommendations.
- IV. In making its recommendations in accordance with Sub Section III above, they shall take into consideration the Annual Transfer Schemes approved by the Public Service Commission and the provisions set out in this Chapter and the policies of the government.
- V. A representation made in accordance with Sub Section V of Section 253 above will be entertained only on the grounds that a proposed transfer violates the scheme of transfers of the Transfer Board or that the circumstances have so changed as to justify a variation of the original transfer order or that the transfer concerned may cause very grave personal hardships of exceptional nature.

**255. Issuing Annual Transfer Orders**

- I. The authority with delegated power shall issue annual transfer orders taking into consideration the proposals of the Annual Transfer Committee and the recommendations of the Annual Transfer Proposals Review Committee.
- II. All annual transfers should be made effective from the 1<sup>st</sup> of January. It shall be the duty of the authority with delegated power to ensure the issuance of the annual transfer orders before at least a period of two months prior to that effective date of annual transfer, i.e., before the 1<sup>st</sup> of November each year.

**256. Procedure for making appeals to the Public Service Commission against the decisions on Annual Transfers**

- I. If any appeal is made by a public officer aggrieved by an order made by the authority with delegated power to the Public Service Commission against an order made on an annual transfer, such appeal shall strictly be made in accordance with the format of Appendix 16 hereof together with related certified copies of all supporting documents.
- II. An officer shall make an appeal to the Public Service Commission only through the respective Head of the Institution, Head of the Department and Secretary to the Ministry and / or the authority with delegated power, as the case may be.
- III. However, such officer may send an advance copy of appeal direct to the Secretary of the Public Service Commission.
- IV. An appeal made against an order of annual transfer should be forwarded within 14 days from the date on which such transfer order was made public. Appeals which are not received within the prescribed period will be rejected by the Public Service Commission.
- V. Respective Head of the Institution, Head of the Department and Secretary to the Ministry and the authority with delegated power shall take action to refer to the Public Service Commission such appeal with all files, documents, reports etc, his observations on the appeals with Appendices 16 and 17 hereof inclusive of recommendations relating to the appeal made by an officer to be sent to the Public Service Commission before the 15<sup>th</sup> of November.
- VI. The Public Service Commission shall make a decision on appeals within 15 days of the receipt of such an appeal.

**257. Implementation of Annual Transfer Orders**

- I. The Secretary of the Ministry, the Head of the Department or the Head of the Institution shall release a public officer on annual transfer order, well in advance from his present duty station so that he may assume duties at his new station on the due date. Likewise, it shall be the responsibility of the officer on transfer order to report for duty at his new station on the due date as prescribed.
- II. It shall be the duty of the disciplinary authorities to take disciplinary action against officers who do not make arrangements to formally release an officer on an annual transfer order from his present duty station so as to enable him to assume duties in the new station on the due date.
- III. The Secretary of the Ministry, Head of the Department or the Head of the Institution shall take action to make temporary internal arrangements to cover up the duties of an officer on annual transfer order without waiting for the arrival of his successor to release the officer.
- IV. The Secretary of the Ministry, the Head of the Department or the Head of the Institution shall, when an officer in his staff receives an annual transfer order, forthwith make arrangements to take charge of the files, documents, other government properties, keys, computer passwords and official identity card under his custody before the effective date of such transfer order. Likewise, it shall be the duty of the officer on annual transfer order to make arrangements, in consultation with his head, to duly hand over all the items that are in his custody.
- V. An officer who does not duly report for duty at his new duty station despite the fact that he had been released from his former duty station shall be deemed as having vacated his post on his own accord and it shall be the duty of the new Secretary of the Ministry, Head of the Department or the Head of the Institution, as the case may be, to take action in terms of Chapter XV of these Procedural Rules.

- VI. The Secretary of the Ministry, Head of the Department or Head of the Institution shall, in order to enable the Head of the new duty station to take action as stated in Sub Section (V) above, see to issuing the letter releasing the officer on transfer order from his present duty station in the format of Appendix 18 in a manner that includes the necessary information of him. A copy of such release letter shall be sent to the Head of the new duty station.

### Transfers on Exigencies of Service

258. A public officer may be transferred on exigencies of service by Appointing Authority or the authority with delegated power for any one of the following reasons.
- I. Where the service of the public officer is no longer needed at his present duty station;
  - II. Where a public officer is needed for service in another duty station or where the service of the relevant public officer himself is needed;
  - III. Where it is found, due to administrative reasons, that the retention of an officer in his present station is not suitable.
259. Before a public officer is transferred on exigencies of service, the Appointing Authority or the authority with delegated power shall satisfy himself that a need has actually arisen as set out in Section 258 above and that the transfer concerned cannot be deferred till the next annual transfers.
260. Depending on the nature of the exigencies of service, the authority with delegated power may transfer an officer even on short notice.
261. The authority with delegated power shall record in the relevant file clearly all the facts that led to the transfer of a public officer on exigencies of service.
262. Furthermore, the authority with delegated power shall clearly state such facts in the letter of transfer issued to the public officer concerned.

### Transfers on Disciplinary Grounds

263. The Disciplinary Authority or the authority with delegated power may transfer a public officer on disciplinary grounds in the following instances even without prior notice.
- I. Where a disciplinary order has been made with a transfer as punishment consequent upon the formal disciplinary inquiry held against the officer concerned;
  - II. Although the findings of a preliminary investigation do not warrant the interdiction of the officer, but require that he should not be allowed to serve in his present duty station;
  - III. Where it is found on matters revealed either before the beginning, or in the course of a preliminary investigation or on existing circumstances that the continued retention of a public officer in service in his post or at his present duty station may obstruct the conduct of a preliminary investigation.
264. The Disciplinary Authority or the authority with delegated power shall state in the letter of transfer issued to the public officer who is transferred as per Section 263 above, the Sub Section of Section 263 above under which he is subject to transfer. However, if requested, the officer shall be given the reasons upon which the transfer was based, in writing.
265. Where it is established at the end of preliminary investigation that there is no basis as to framing a charge sheet against the officer concerned or where he is exonerated from all the charges following a formal disciplinary inquiry, the officer concerned may make an appeal to his Disciplinary Authority or the authority with delegated power against a transfer made on him under II and III of Section 263 above.

266. A Disciplinary Authority or the authority with delegated power upon receiving an appeal as described in Section 265 above shall, in consideration of the facts stated in such appeal and in Section III of 258 above, inform the officer concerned of the decision made on such appeal within 02 months of the receipt of it.

**Procedure to be followed in respect of appeals made to the Public Service Commission against transfer orders on exigencies of service and disciplinary grounds**

267. Any public officer aggrieved by an order relating to a transfer made by an authority with delegated power on exigencies of service or upon disciplinary grounds may, in terms of the Chapter XX of these Rules, appeal to the Commission against such decision in the format of Appendix 19.

**Non annual transfers on request made by the public officers**

268. The authority with delegated power over transfers may consider a special request of transfer made by an officer on the following grounds that were not taken into consideration under annual transfers.

- I. Special requests made on medical grounds.
- II. Requests made on personal problems faced with in consequence of unforeseen circumstances;
- III. Requests made to meet requirements set out in Service Minutes and Schemes of Recruitment.

269. Every possible effort should be made by the authority with delegated power over transfers to attend to annual transfer requests made owing to the reasons stated in Section 268 above. The authority with delegated power shall, on ascertaining the fact that it is not possible to delay the request of transfer preferred by an officer until the time of the next annual transfers taking place, consider only such requests under this situation after having obtained the information concerning it.

270. Any transfer made on the requests preferred under Section 268 above shall not adversely affect the annual transfers and it shall not be prejudicial to the privileges and entitlements of any officer subject to transfer under annual transfers.

271. Any transfer made under Section 268 above shall not affect a transfer effected on an officer owing to disciplinary grounds.

**Transfers of Trade Union Officers**

272. Key office bearers of the parent organization of a union should be posted to stations where their services are required for the work of the union and will not be liable to transfer under the normal transfer rules. The final decision of transfer should be made by the Secretary to the respective Ministry.

273. The designations of the office bearers of union and the union to whom this concession should be granted and the station to which such office bearers should be posted will be determined by the appropriate authority (as defined in Section 277) in consultation with the union concerned.

274. An officer posted to a station under Section 272 above will become liable to transfer under the normal rules on his ceasing to hold the office which entitled him to the concession or on promotion to a higher post, class or grade.

275. The grant of this concession should, at all times, be subject to the exigencies of the service and to disciplinary requirements.

276. A union which is entitled to this concession and contemplating to avail itself of such concession, shall make an application to the appropriate authority stating-

- I. the names of the officers for whom this concession is requested;
- II. the station to which such of them should be posted and the current membership of the union.

277. The appropriate authority in respect of -

a union of officers of a Combined Service is the Secretary to the Ministry in charge of the subject of Public Administration;

a union, the membership of which is confined to officers of a single Department is the Head of that Department;

a union, the membership of which is not limited only to officers of a single Department is the Secretary to the Ministry in charge of the subject of Public Administration.

#### **Steps to be taken following the implementation of Transfers**

278. It shall be the responsibility of the Secretary of the Ministry, Head of the Department or the Head of the Institution of the officer on transfer, as the case may be, to duly transmit the following documents regarding the officer to his new Head of the duty station within two weeks of the transfer of the officer.

- I. Updated personal file with the updated history sheet;
- II. Written recommendation regarding the payment of the officer's next salary increment for the period from the date of his last increment up to the date of the implementation of his transfer;
- III. Performance Appraisal Report of the officer;
- IV. Leave particulars of the officer;
- V. Statement on holiday railway warrants obtained by the officer;
- VI. Salary particulars of the officer;
- VII. Credit Balance Statement of the officer;
- VIII. A certificate to show that the Widows'/ Widowers' and Orphans contributions have been continuously recovered from the salary of the officer for the period during which he served in the institution.

## Chapter XIX

### Procedure on Appeals against decisions on Transfers other than the annual transfers and Promotions

279. In terms of Article 58 (1) of the Constitution, any public officer aggrieved by an order of promotion or transfer made by an authority with delegated power may appeal to the Commission against such order.
280. An appeal made by a public officer with regard to a promotion or transfer other than an annual transfer shall be made in the format of Appendices 19 or 20. He shall also submit certified copies of relevant documents in support of his appeal.
281. A public officer shall submit an appeal to the Commission through an authority with delegated power and the copies of such appeal shall also be submitted to the Secretary to the respective Ministry, the Head of the Department, and the Head of the Institution. It shall be the duty of the authority with delegated power to submit the appeals referred to him without delay to the Commission with his observations. The officer, if he so desires, may submit an advance copy of the appeal direct to the Commission.
282. A retired officer making an appeal relating to a promotion due during the period he was in the public service on which a decision has been made by the authority with delegated power after his retirement, shall submit such appeal within 30 days of the receipt of such decision direct to the Commission. However, he shall send the copy of the appeal also to his former Head of the Department or Head of the Institution.
283. An appeal against an order relating to a promotion made by an authority with delegated power shall be made within 30 days of making the decision. An appeal against an order relating to a transfer made by an authority with delegated power shall be made within 14 days of the receipt of the transfer order by the officer concerned.
284. The respective Head of the Institution, Head of the Department, Appointing Authority and Secretary to the Ministry shall ensure that an appeal submitted by an officer for transmission to the Commission is delivered to it within 15 days of the receipt of the appeal together with all relevant files, documents and reports and his observations and recommendations related thereto.
285. It is the responsibility of every public officer including a retired officer to submit his appeal in compliance with the requirements in this Chapter and any appeal that does not conform to such requirements will not be considered by the Commission.
286. The Commission shall send its decision on an appeal made as aforesaid direct to the officer with copies to the authority with delegated power, the Head of the Department and the Head of the Institution, as the case may be.
287. A public officer aggrieved by an order or decision made by the Commission has right to prefer an appeal to the Administrative Appeals Tribunal in accordance with the provisions of the Administrative Appeals Tribunal Act No.4 of 2002.

## Chapter XX

### Preparation of Registers and Reports on public officers

288. Every authority with delegated power, Administrative Authority, Head of the Department and Head of the Institution shall maintain and regularly update the following registers according to the Appendices stated below containing information on officers within their purview.

<i>Serial No.</i>	<i>Appendix No.</i>	<i>Registers to be maintained</i>
I.	21	Register of appointments and promotions of public officers to be maintained by the authority with delegated power
II.	22	Register of public officers dismissed from service to be maintained by the authority with delegated power
III.	23	Register of public officers who have resigned from service to be maintained by the authority with delegated power
IV.	24	Register of public officers who have vacated the post to be maintained by the authority with delegated power
V.	25	Register of public officers under interdiction and those sent on compulsory leave to be maintained by the authority with delegated power
VI.	26	Register of retired public officers to be maintained by the authority with delegated power
VII.	27	Register of public officers retired for general inefficiency to be maintained by the authority with delegated power
VIII.	28	Register of public officers retired as a merciful alternative to dismissal from service to be maintained by the authority with delegated power
IX.	29	Biannual report on changes in staff furnished by the authority with delegated power to the Public Service Commission (Submission of statistical data relating to public officers biannually to the Commission)
X.	30	Register to be maintained on the entire staff in every government office/ institution

289. The authority with delegated power, the Head of the Department or the Head of the Institution shall, as the case may be, forward biannually a summary of statistical data contained in the registers maintained as set out in Section 288 above to the Secretary of the Ministry in the format of Appendix 29. Thereafter, the Secretary to the Ministry shall send the Commission the relevant data due by the 30<sup>th</sup> of June and the 31<sup>st</sup> of December every year before the 31<sup>st</sup> of July and 31<sup>st</sup> of January respectively.

290. Every Head of Ministry/ Department/ Institution shall maintain and regularly update a register relating to the entire staff employed in each government office in the format of Appendix 30.

## Chapter XXI

### Channel of Communication

291. Every authority with delegated power may communicate with the Commission on matters relating to his powers through his Secretary to the Ministry.
292. Unless otherwise provided for in these Procedural Rules, the public officers shall in all instances correspond with the Commission only through the respective Head of the Institution, Head of the Department and Secretary to the Ministry.
293. Correspondence with the Commission shall be only through the Secretary to the Commission.

## Chapter XXII

### General Matters

#### 294. Definitions

Unless the context otherwise requires, in these Procedural Rules-

- I. **“Constitution”** means the Constitution of the Democratic Socialist Republic of Sri Lanka.
- II. **“Republic”** means the Democratic Socialist Republic of Sri Lanka as defined in the Constitution.
- III. **“Citizen”** means a citizen of Sri Lanka as defined in the Constitution.
- IV. **“Commission”** means the Public Service Commission established in terms of Article 54 (1) of the Constitution.
- V. **“Committee with delegated power”** means a committee to which the Commission has transferred its powers in terms of Article 56 (1) of the Constitution.
- VI. **“Officer with delegated power”** means a public officer on whom the Commission has transferred its powers in terms of Article 57 (1) of the Constitution.
- VII. **“Authority with delegated power”** means a committee or a public officer on whom the Commission has delegated its powers in terms of 56(1) or 57(1) of the Constitution as the case may be.
- VIII. **“Secretary to the Ministry”** means the Secretary appointed by the President in terms of Article 52 (1) of the Constitution.
- IX. **“Head of Department”** means a Head of the Department appointed by the President or Cabinet of Ministers or a person appointed to act or attending to duties or cover up the duties in such a post in a Ministry. In the case of a Ministry, it means the Secretary to such Ministry.
- X. **“Head of Institution”** means a person duly appointed to perform the task of the Head of the Institution. It also includes another person on whom power has formally been delegated to perform the duties in such post. In the case of a Department, it means the Head of such Department and in the case of a Ministry, the Secretary to such Ministry.
- XI. **“Appointing Authority”** means the Commission or an authority on whom the powers of appointment have been delegated by the Commission.
- XII. **“Disciplinary Authority”** means the Commission or an authority on whom the powers of disciplinary control of public officers have been delegated by the Commission.
- XIII. **“Disciplinary Procedure”** means the Volume II of the Establishments Code or the Volume II of the Procedural Rules enacted by the Public Service Commission.
- XIV. **“Administrative Authority”** means a public officer who has been duly designated by the Commission to carry out administrative functions.

- XXV. “**Director General of Combined Services**” means the officer holding the post of Director General of Combined Services and includes an officer acting or attending to duties in such post.
- XXVI. “**Public Officer**” means a person defined as a public officer in the Constitution.
- XXVII. “**Permanent Officer**” means a public officer appointed by the Appointing Authority on permanent basis to a post in the approved cadre in accordance with the approved Service Minute or the approved Scheme of Recruitment subject to the period of probation or acting or the conditions thereof with or without pension rights.
- XXVIII. “**Substitute Appointee**” means a person employed to perform the duties of a post which has been filled on permanent basis but whose holder is absent from the post for a limited period.
- XIX. “**Casual Appointee**” means a person appointed to a post approved as a casual post on daily paid basis for a short period on casual basis.
- XX. “**Temporary Officer**” means a person appointed as such to a post approved as a temporary post.
- XXI. “**Ex-serviceman**” means an officer or a person of any other rank who has honourably left an armed service by retirement or on being completed his period of service other than on disciplinary grounds.
- XXII. “**All Island Services**” mean services already identified as All Island Services by the Cabinet of Ministers namely, the Sri Lanka Administrative Service, Sri Lanka Engineering Service, Sri Lanka Scientific Service, Sri Lanka Architects Service, Sri Lanka Accountants Service, Sri Lanka Planning Service, Sri Lanka Education Administrative Service, Sri Lanka Agriculture Service, Sri Lanka Animal Production and Health Service, Sri Lanka Medical Service, Sri Lanka Indigenous Medical Service and the Sri Lanka Surveyors Service and any other service being so identified from time to time as belonging to the All Island Services.
- XXIII. “**Combined Service**” means the Management Service Officers Service, Librarians Service, Translators Service, Drivers Service, Office Employees Service, Information Technology Service, Development Officers Service and any other service being identified from time to time as belonging to the Combined Service.
- XXIV. “**Scheme of Recruitment**” means a formal scheme approved by the Commission for the recruitment or promotion of public officers to a particular post, class or grade in the public service and matters incidental thereto.
- XXV. “**Service Minute**” means a service minute duly approved by the Commission and in respect of which the Cabinet of Ministers has granted approval for matters of policy for the appointment and promotion of public officers to a particular class, grade or post of a service and matters incidental thereto and published in the Gazette of the Democratic Socialist Republic of Sri Lanka.
- XXVI. “**Appointment**” means the conferment of any paid office in the public service, whether or not subject to confirmation, to a person not already in the public service or an appointment or promotion with or without an increase of salary or any change in status of a person already in the public service.

- XXVII. **“Promotion”** means the appointment in accordance with an approved Service Minute or a Scheme of Recruitment, as the case may be, of an officer holding a post in the public service to a post, class or grade which is superior to the post he holds or the class or grade to which he belongs with or without a period of probation.
- XXVIII. **“Period of Satisfactory Service”** means a period of service during which a public officer has earned all salary increments due to have been earned by him during the prescribed period by discharging duties efficiently and diligently, passing over the efficiency bars required to have been passed and fulfilling the qualifications necessary for the confirmation in appointment required to have been completed and has not committed a punishable offence. However, where a decision has been made to reckon a period of no pay leave granted on a policy decision of the government as a period of satisfactory service, such period should also be considered as a period of satisfactory service.
- XXIX. **“Good Conduct”** means the proper conduct of an officer during and outside of his duty hours without indulging in an act connected to any disciplinary or criminal offence.
- XXX. **“Period of Active Service”** means the period of service during which an officer was actually engaged in duties whilst drawing his salary. The periods of no pay leave as being specified as a period of active service by the Cabinet of Ministers as a policy and the period for which an officer has been released or sent on secondment to a post outside the public service on the need of the government other than on the officer’s own instance will be considered as a period of active service. However, where an officer under interdiction or on compulsory leave is acquitted and exonerated from all the charges after the formal disciplinary inquiry or the judicial process, such period under interdiction or on compulsory leave will be reckoned for the purpose of the period of active service. Likewise, in the computation of the period of active service in a specific service, the officer’s engagement in duties of such post and his receiving the salary of such post should be considered as the period of active service of such post.
- XXXI. **“Period of Continuous Service”** means the period of service during which an officer was actually served continuously whilst drawing his salary. A period of duly approved salaried or no pay leave granted on a policy decision of the government will be reckoned in the period of continuous service. Likewise, in the computation of the period of continuous service in a specific post, the period of service the officer has actually engaged in the duties of such post drawing the salary applicable to it should be considered as the period of continuous service of such post.
- XXXII. **“Transfer”** means the transferring of a public officer from one duty station or institution to another duty station or institution by the Commission or the authority with delegated power at their discretion or on disciplinary grounds or on the proposal of an Annual Transfer Committee or on the recommendations of an Annual Transfer Proposals Review Committee or on the request of the officer or on exigencies of service or on the appointment of the officer to another post as a result of promotion.
- XXXIII. **“Appointment on Contract”** means an appointment of a person to a post in the public service with specific conditions for a specific period of time.
- XXXIV. **“Reinstatement”** means the restoration to public office of a person who had been interdicted or dismissed from service or whose probationary appointment has been terminated or who has been deemed as having vacated his post.
- XXXV. **“Reemployment”** means the reemployment of a person who has retired from the public service in a post in the public service.

- XXXVI. **“Superior Post”** means a post that has at least the same initial salary and the same incremental rate of and a higher maximum salary than the post with which it is compared. A post which has a fixed salary higher than or equal to the maximum salary of the post with which it is compared is also a superior post.
- XXXVII. **“Comparable Post”** means a post which has at least the same incremental rate and a maximum salary not less than that of the post with which it is compared.
- XXXVIII **“Inferior Post”** means a post which has a lower initial salary, a lower incremental rate and lower maximum salary, or any two of them lower than those of the post with which it is compared.
- XXXIX. **“Public Corporation”** means any Corporation, Board or any other body which was or is established by or under any written law other than the Companies Act with funds or capital wholly or partly provided by the government by way of grant, loan or otherwise.
- XL. **“Documents”** include all files, letters, documents, statements, reports, publications, books and computerized data and information.
- XLI. Unless the context otherwise requires, **words of masculine gender** also mean **words of feminine gender**.
- XLII. Unless the context otherwise requires, **singular words** also include their **plural sense**.

295. **The Sinhala text to prevail in the event of any inconsistency**

In the event of any inconsistency or discrepancy between the Sinhala, Tamil and English texts of these Procedural Rules, the Sinhala text shall prevail.

296. **Enforcement of the Rules**

These rules shall come into force with effect from the date on which the Cabinet of Ministers grants its approval. All orders made and all steps taken for appointments, promotions and transfers, all orders made, directions given, proceedings taken, transfers or retirements and releases made, all things done or pending under provisions in force on the immediately preceding the date of commencement of these rules, shall be deemed to have been made under these rules and shall continue in force. Furthermore, they shall be treated as have been made, issued, given or done under these rules and shall remain in force *mutatis mutandis*.

The existing Procedural Rules shall be rescinded from the date on which these Rules come into force without prejudice to any decision or action made thereunder.

### List of Appendices

No.	Appendix
01.	Format of standard of Service Minute
02.	Format of standard Scheme of Recruitment
03.	Letter of Appointment on permanent basis
04.	Letter of Appointment on contract basis
05.	Letter accepting or rejecting the Appointment
06.	Letter confirming the reporting for duty
07.	Letter terminating the appointment of an officer whose appointment was not confirmed after the period of probation
08.	Annual Review Report to be submitted on public officers during the period of probation
09.	Letter of reversion to the former post of an officer whose appointment was not confirmed after period of probation of one year
10.	Letter informing of the confirmation in the appointment
11.	Letter informing of passing over the Efficiency Bar
12.	Request for permanent/ temporary release from public service by a public officer
13.	Request for permanent/ temporary release of a public officer from the post he presently holds by a Secretary to the Ministry on the need of the government
14.	Notice of Vacation of Post
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16.	Format informing of the particulars of the Appellant when appeals on annual transfer decisions are made to the Public Service Commission
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18.	Letter of release from service as per annual transfer order
19.	Format of appeal against non annual transfers made to the Commission
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21.	Register of appointments and promotions of public officers to be maintained by the authority with delegated power
22.	Register of public officers dismissed from service to be maintained by the authority with delegated power
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26.	Register of retired public officers to be maintained by the authority with delegated power
27.	Register of public officers retired for general inefficiency to be maintained by the authority with delegated power
28.	Register of public officers retired as a merciful alternative to dismissal from service maintained by the authority with delegated power
29.	Biannual report on changes in staff furnished by the authority with delegated power to the Public Service Commission (Submission of statistical data relating to public officers biannually to the Commission)
30.	Register to be maintained on the entire staff in every government office/ institution

**Appendix 01**

**(Section 39 of Chapter IV)**

**Service Minute of .....**

Following Service Minute of the ..... Service is substituted without prejudice to any action taken or purported to have been taken in terms of the Service Minute of the ..... Service published in the Gazette Extraordinary No. .... dated ..... of the Democratic Socialist Republic of Sri Lanka and the amendments made thereto from time to time.

By order of the Public Service Commission,

.....  
Secretary,  
Public Service Commission /Delegated Authority.

On ..... of ..... 20.....

**1. Effective date**

This Service Minute shall come into force with effect from .....

**2. Details on Appointing Authority**

2.1 Appointing Authority: .....

**3. Details on Categories of Services**

3.1 Categories of Services: .....

3.2 Grades : .....

3.3 General definition on the role assigned: .....

**4. Nature of the post : .....**

**5. Salaries**

5.1 Salary Code : .....

5.2 Salary Scale : .....

5.3 Grade system relating to the Service Category and monthly salary step involving the grade system

Grade	Initial Salary Step	Salary point

**6. Posts associated with the Service Categories**

6.1 Titles of approved posts, number of approved posts and functions assigned thereto

Titles of posts approved	Number of approved posts	Functions

6.2 Consolidated Number of officers: .....

## 7. Method of Recruitment

### 7.1 Percentages of Recruitment

Stream	Percentages

### 7.2 Open Recruitment

#### 7.2.1 Grade at Recruitment

#### 7.2.2 Qualifications

7.2.2.1 Educational Qualifications: .....

7.2.2.2 Professional Qualifications: .....

7.2.2.3 Experience: .....

7.2.2.4 Physical fitness: .....

7.2.2.5 Other: .....

#### 7.2.3 Age

7.2.3.1 Minimum limit: .....

7.2.3.2 Maximum limit: .....

#### 7.2.4 Method of Recruitment

##### 7.2.4.1 Written Examination

Subjects	Maximum Marks	Pass Marks

7.2.4.1.1 Authority conducting the examination .....

##### 7.2.4.2 Professional Test

Subjects	Maximum marks	Pass Marks

7.2.4.2.1 Authority conducting the examination: .....

7.2.4.3 Interview for Evaluating Eligibility

Main Headings for which marks are awarded	Maximum Marks	Minimum Marks considered for selection

7.2.4.3.1 Officer appointing the Board of Interview for Evaluating Eligibility: .....

7.2.4.4 General Interview

Objectives to be achieved: .....

7.2.4.4.1 Authority appointing the Board of General Interview: .....

7.2.5 Method of inviting applications: .....

7.3 Limited Recruitment

7.3.1 Grade at Recruitment

7.3.2 Qualifications

7.3.2.1 Educational Qualifications: .....

7.3.2.2 Professional Qualifications: .....

7.3.2.3 Experience: .....

7.3.2.4 Physical fitness: .....

7.3.2.5 Other: .....

7.3.3 Age

7.3.3.1 Minimum limit: .....

7.3.3.2 Maximum limit: .....

7.3.4 Method of Recruitment

7.3.4.1 Written Examination

Subjects	Maximum Marks	Pass Marks

7.3.4.1.1 Authority of conducting the examination .....

7.3.4.2 Professional Test

Subjects	Maximum Marks	Pass Marks

7.3.4.2.1 Authority of conducting the examination: .....

#### 7.3.4.3 Interview for Evaluating Eligibility

Main Headings for which marks are awarded	Maximum Marks	Minimum Marks considered for selection

7.3.4.3.1 Authority appointing the Interview for Evaluating Eligibility: .....

#### 7.3.4.4 General Interview

Objectives to be achieved:

.....

7.3.4.4.1 Authority appointing the Board of General Interview :

.....

7.3.5 Method of inviting applications: .....

### 8. Efficiency Bars

8.1

Which of the Efficiency Bars	Before how many years the Efficiency Bar to be passed	Nature of the Efficiency Bar - Written Examination/Professional Test/Certificate Course/Other

8.2 Efficiency Bars are held ..... a year.

8.3 Authorities conducting Efficiency Bar examination: .....

### 9. Language Proficiency

Language	Proficiency to be acquired

### 10. Promotion to Grades

10.1 Promotion from Grade III to Grade II

10.1.1 Qualifications to be fulfilled: .....

10.1.2 Method of Promotion: .....

10.2 Promotion from Grade II to Grade I

10.2.1 Qualifications to be fulfilled:.....

10.2.2 Method of Promotion:.....

10.3 Promotion from Grade I to Special Grade

10.3.1 Qualifications to be fulfilled:.....

10.3.2 Method of Promotion:.....

11. **Appointments to posts**

11.1 Qualifications

Post	Qualifications

11.2 Method of Selection

Post	Method of Selection

12. **Definitions extraneous to the those specified in the Procedural Rules of the Public Service Commission :**

.....

13. **Option to retire:** .....

14. **Absorption of officers in service to the new grade system of the reorganized service/ absorption into grade system :**

.....

15. **Interim provisions:** .....

16. **Matters not provided for**

Decisions on matters extraneous to provisions of this Service Minute will be made by the Public Service Commission.

17. **Other matters**

17.1 This Service Minute will prevail upon the officers who are recruited or absorbed. The posts belonging to the ..... Service and their grading should be in accordance with the ..... Schedule.

- 17.2 Conditions in the Gazette Extraordinary No. .... dated ..... in relation to the Procedural Rules of the Public Service Commission and the provisions in the Establishments Code will be applicable to every appointment.
- 17.3 These officers will be subject to orders of the Public Service Commission, provisions of the Establishments Code, Financial Regulations and rules and / or regulations enacted by the government from time to time.
- 17.4 In the event of any inconsistency between the Sinhala, Tamil and English texts of these Procedural Rules, the Sinhala text shall prevail.
- 17.5 A policy clearance of the Cabinet of Ministers for this Service Minute of the ..... Service was obtained through the Cabinet Decision No..... dated ..... of the Secretary to the Cabinet.

..... Schedule

**List of the titles of posts constituting the ..... Service**

Posts in Class .....

Title of the post	Institution the post belongs to	Number of posts

..... Schedule

**Competitive examination for recruitment to Class ..... / Grade  
..... of Class ..... of the ..... Service  
(Please see ..... of this Service Minute)**

1. Name of the examination  
.....
2. Details on the examination : Examination will be held in the medium of ..... Language

Question paper	Duration	Total marks	Pass marks

3. Authority conducting the examination : .....
4. Duration of the examination : .....
5. Syllabus of the examination

Name of question paper	Syllabus

..... Schedule  
**Competitive examination for recruitment to Class ..... / Grade**  
**..... of Class ..... of the ..... Service**  
**(Please see ..... of this Service Minute)**

1. Name of the examination

.....

2. Details on the examination : Examination will be held in the medium of ..... Language

Question paper	Time	Total marks	Pass marks

3. Authority conducting the examination : .....

4. Duration of examination : .....

5. Syllabus of the examination

Name of question paper	Syllabus

**Appendix 02**  
**(Section 39 of Chapter IV)**

**Scheme of Recruitment of the post of ..... in the Department/ Ministry of .....**

1. Related institutions

1.1 Department : .....

Ref. No. : ..... Date:.....

1.2 Ministry:

Ref. No. : ..... Date:.....

1.3 Approval of posts by the Director General of the Management Services

Ref. No. : ..... Date:.....

1.4 Recommendation of the Director General of Establishments

Ref. No. : ..... Date:.....

1.5 Recommendation of the National Salaries and Cadres Commission

Ref. No. : ..... Date:.....

1.6 Approval by the Public Service Commission

Ref. No. : .....

Date:.....

## 2. Appointing Authority

## 3. Particulars on the Category of Service

3.1 Category of Service:.....

3.2 Grades:.....

3.3 General definition on the role assigned: .....

.....

3.4 Assignment of Duties: .....

## 4. Nature of the Post/ Posts: .....

## 5. Salary

5.1 Salary Code:.....

5.2 Monthly Salary Scale:

.....

5.3 Grade system and Monthly Salary Step pertaining to grade system:

Grade	Initial Salary Step	Initial Salary Point (Rs.)

## 6. Post/Posts associated with the category of service

6.1 Approved titles of posts, approved number of posts and the duties assigned thereto:

Approved titles of posts	Grade for which the post is approved	approved number of posts	Duties

6.2 Consolidated number of officers: .....

## 7. Method of Recruitment

7.1 Percentages of Recruitment:

Stream	Percentage
Open	
Limited	
Merit	

7.2 Open Recruitment

7.2.1 Grade at Recruitment:.....

7.2.2 Qualifications

- 7.2.2.1 Educational Qualifications : .....
- 7.2.2.2 Professional Qualifications: .....
- 7.2.2.3 Experience: .....
- 7.2.2.4 Physical fitness: .....
- 7.2.2.5 Other : .....

Note

Under special circumstances (e.g: Recruitment to the post of Legal Officer) this format may vary as decided by the Public Service Commission.

- 7.2.2.1 Educational / Vocational Qualifications:.....
- 7.2.2.2 Experience:.....
- 7.2.2.3 Other:.....

7.2.3 Age

- 7.2.3.1 Minimum limit:.....
- 7.2.3.2 Maximum limit:.....

7.2.4 Method of Recruitment

7.2.4.1 Written Examination

Subjects	Maximum Marks	Pass Marks

7.2.4.1.1 Authority conducting the examination: .....

7.2.4.2 Professional Test

Subjects	Maximum marks	Pass Marks

7.2.4.2.1 Authority conducting the examination: .....

7.2.4.3 General Interview: .....  
 Objectives to be achieved

7.2.4.3.1 Board of General Interview

.....

7.2.4.4 Interview for Evaluating Eligibility

Main Headings for which marks are awarded	Maximum Marks	Minimum Marks considered for selection

7.2.4.4.1 Officer appointing the Board of Interview for Evaluating Eligibility .....

7.2.5 Method of inviting applications

.....

7.3 Limited Recruitment

7.3.1 Grade at Recruitment:.....

7.3.2 Qualifications

7.3.2.1 Educational Qualifications :.....

7.3.2.2 Professional Qualifications :.....

7.3.2.3 Experience :.....

7.3.2.4 Physical Fitness :.....

7.3.2.5 Other:.....

7.3.3. Age

7.3.3.1 Minimum limit :.....

7.3.3.2 Maximum limit :.....

7.3.4 Method of Recruitment :

7.3.4.1 Written Examination

Subjects	Maximum Marks	Pass Marks

7.3.4.1.1 Authority of conducting the examination: .....

7.3.4.2 Professional Test

Subjects	Maximum Marks	Pass Marks

7.3.4.2.1 Conducting Authority:  
 .....

7.3.4.3 General Interview  
 Objectives to be achieved:  
 .....

7.3.4.3.1 Authority conducting the General Interview: .....

7.3.4.4 Interview for Evaluating Eligibility

Main Headings for which marks are awarded	Maximum Marks	Minimum Marks considered for selection

7.3.4.4.1 Authority of appointing the Board of Interview for Evaluating Eligibility  
 :.....

7.3.5 Method of inviting applications:  
 .....

7.4 Recruitment on Merit basis

7.4.1 Grade at Recruitment:.....

7.4.2 Qualifications :

7.4.2.1 Educational Qualification : .....

7.4.2.2 Professional Qualifications: .....

7.4.2.3 Physical Fitness: .....

7.4.2.4 Experience: .....

7.4.2.5 Other: .....

7.4.3. Age

7.4.3.1 Minimum limit: .....

7.4.3.2 Maximum limit:.....

7.4.4 Method of Recruitment :

7.4.4.1 Written Examination

Subjects	Maximum Marks	Pass Marks

7.4.4.1.1 Authority conducting the examination : .....

7.4.4.2 Professional Test

Subjects	Maximum Marks	Pass Marks

7.4.4.2.1 Authority conducting the test : .....

7.4.4.3 General Interview

Objectives to be achieved: .....

7.4.4.3.1 Authority conducting the General Interview : .....

7.4.4.4 Interview for Evaluating Eligibility

Main Headings for which marks are awarded	Maximum Marks	Minimum Marks considered for selection

7.4.4.4.1 Authority of appointing the Board of Interview for Evaluating Eligibility :  
 .....

7.4.5 Method of calling applications:

.....

(If particulars pertaining to written examinations/ professional tests/ interviews for evaluating eligibility cannot be accommodated in the respective spaces provided, append the annexes thereof.)

8. Efficiency Bars

8.1

Which of the Efficiency Bars	Before how many years the Efficiency Bar to be passed	Nature of the Efficiency Bar - Written Examination/Professional Test/Certificate Course/Other
1 <sup>st</sup> Efficiency Bar		
2 <sup>nd</sup> Efficiency Bar		
3 <sup>rd</sup> Efficiency Bar		

8.2 Frequency at which the Efficiency Bar examinations are held? .....

8.3 Authorities of conducting Efficiency Bar examination?

- 1<sup>st</sup> Efficiency Bar .....
- 2<sup>nd</sup> Efficiency Bar .....
- 3<sup>rd</sup> Efficiency Bar .....

9. Language Proficiency

9.1

Language	Proficiency to be acquired
01. Official Language	
02. Other Official Language	
03. Link Language (Only if applicable)	

10. Promotion to Grades

10.1 Promotion from Grade III to Grade II

10.1.1 As per Average Performance

10.1.1.1 Qualifications to be fulfilled:

.....

10.1.1.2 Method of Promotion : .....

10.2 Promotion from Grade II to Grade I

10.2.1 As per Average Performance

10.2.1.1 Qualifications to be fulfilled:

.....

10.2.1.2 Method of Promotion

.....

10.3 Promotion from Grade I to Special Grade

10.3.1 As per Average Performance

10.3.1.1 Qualifications to be fulfilled: .....

10.3.1.2 Method of Promotion : .....

11. Appointments to Posts

11.1 Qualifications

Post	Qualifications	Method of Selection

(Use an annexure if necessary)

- 12. Conditions extraneous to general conditions set out in the Procedural Rules of the Public Service Commission: .....
- 13. Definitions extraneous to the those specified in the Procedural Rules of the Public Service Commission: .....
- 14. Absorption into grade system:..... (Applicable only for those engage in service as at the effective date of the Scheme of Recruitment. Append an annexure if necessary. State 'Not applicable' where the absorption is inapplicable.)
- 15. Conditions laid down in the Procedural Rules of the Public Service Commission published in the Gazette Extraordinary No. .... dated ..... and the provisions in the Establishments Code will be applicable to every appointment.
- 16. Decisions on any matter not provided for in this Scheme of Recruitment will be made by the Public Service Commission.
- 17. Interim Provisions : .....

Prepared by: Signature : .....  
 (Junior Staff Officer in charge of the Subject)  
 Name : .....  
 Designation : .....  
 Date : .....

Checked by : Signature : .....  
 (Senior Staff Officer in charge of the Subject)  
 Name : .....  
 Designation : .....  
 Date : .....

Recommended and forwarded.

Signature:.....  
 (Head of Department)  
 Name : .....

Designation: .....  
 Official Seal : .....

Date : .....

- 18. Recommendation of the Ministry

Reference No. : .....

I recommend and submit for certification the Scheme of Recruitment for the Service Category of ..... in the Ministry/ Department of ..... approved by the Public Service Commission on .....

Signature : .....  
Name : .....  
Secretary  
(Secretary to the respective Ministry)

Date: .....

Official seal: .....

19. Approval of the Public Service Commission

Reference No: .....

The Public Service Commission has approved this Scheme of Recruitment for the Service Category of ..... in the Ministry/ Department of ..... on .....

Signature: .....  
Name : .....  
Secretary  
Public Service Commission

Date: .....

Official seal : .....

**Appendix 03**  
**(Sections 89 and 90 of Chapter VII)**

My No.

Date

(Registered post)

Mr./ Mrs./ Ms.  
Address  
NIC No.

Sir / Madam,

**Appointment to Grade III of the Sri Lanka ..... Service / Appointment to the post of .....  
in the Department of .....**

I am pleased to inform you that the Public Service Commission has appointed you to a post of Grade III of the ..... Service with effect from ..... on the results of open / limited competitive examination held on ..... and on the results of the interview / interview for evaluating eligibility held on ..... in accordance with the Gazette Notification No. .... dated ..... of the Democratic Socialist Republic of Sri Lanka. Accordingly, you are kindly advised to report to the Department / Ministry of ..... at 8.30 a.m. on the above date to take up the appointment.

02. Your appointment shall come into effect from the date on which you assume duties. If you fail to report for duty as stated above without a valid reason this appointment shall stand cancelled.

03. You shall hold this post on public trust. You shall efficiently and diligently discharge the duties of this post for the benefit country and its people.
04. You shall be unreservedly loyal to the Democratic Socialist Republic of Sri Lanka and you are bound to treat the duties of your post in the strictest confidence.
05. You have no right to engage yourself in a job in any other institution or any other profession as long as you are in the public service.
06. This appointment is permanent. However, you are subject to a probation period of three years / one year. During this period you must prove that you are fit for public service by discharging the duties and responsibilities stipulated in this appointment letter competently, by good conduct and efficient discharge of your duties. You must also ensure that the conditions set out in the Service Minute / Scheme of Recruitment of ..... and other requirements in this letter of appointment you are called upon to fulfil during the period of probation are fulfilled. You will be confirmed in this appointment at the end of the period of probation only if you succeed in duly fulfilling all these requirements. Where it appears that you are unable to do so, this appointment may be revoked during or at the end of such period. Your appointment shall become permanent only after the issuance of a formal letter by the Appointing Authority that you have been confirmed in such appointment. Until such time your appointment shall be treated as being not confirmed.
- (Appointment on limited basis – you will be reverted to the post you previously held in the public service if you fail the test held at the end of the induction training course prescribed under Section .....of the Service Minute of the Sri Lanka ..... Service published in the Gazette Extraordinary No. .... dated ..... 20... of the Democratic Socialist Republic of Sri Lanka.)
- Appointment on limited and merit basis – You may make a request for reversion to the former service in terms of Public Service Commission Circular 2/2018.
07. This appointment is pensionable. You will be subject to a policy decision made by the government in future on the Pension Scheme entitled to you. Furthermore, you are required to contribute to the Widows’/ Widowers’ and Orphans Pension Scheme. You should make contributions towards it in a manner stipulated by the government from time to time.
08. Your appointment will be governed by the provisions of the Service Minute / Scheme of Recruitment of the ..... Service / post of ..... published in the Gazette Extraordinary No. .... dated ..... 20... of the Democratic Socialist Republic of Sri Lanka / approved by the Public Service Commission in relation thereto (post) on ..... under Ref. No. .... and the amendments that have already been made or may be made in future thereto.
09. You shall before the lapse of five (05) years from the assumption of this post prove that you have acquired proficiency in the official language in accordance with the policy of the government. In the event that it was the Sinhala Language through which you were qualified for this appointment, your other official language shall be Tamil. Similarly, if it was the Tamil Language through which you were qualified for this appointment, your other official language shall be Sinhala. Provisions in Public Administration Circular 01/2014 dated 21.01.2014 and provisions in circulars incidental thereto will be applicable in this regard. Furthermore, if it was the English Language through which you were qualified for this appointment, you shall at your discretion acquire proficiency of the other official language either Sinhala or Tamil within three (03) years and the proficiency of the other official language within five (05) years of the date of appointment.
10. You should discharge your official responsibilities and obligations adhering to all rules, regulations, orders and procedures on the public service enacted by the Public Service Commission. You will also be required to be subject to the Establishments Code of the Democratic Socialist Republic of Sri Lanka and the Financial Regulations of government and other government regulations, circulars, instructions and amendments issued thereto from time to time.

11. The monthly salary scale applicable for this appointment as per the Schedule I of the Public Administration Circular No. 03/2016 of 25.02.2016 is Rs. .... (SL .....). Salary will be paid to you in accordance with the provisions of such circular as per Schedule II thereof. In addition to this, you are also entitled to other allowances paid by the government to public officers from time to time. You are required to pass the first efficiency bar as prescribed in the Scheme of Recruitment / Service Minute within 03 years of the above appointment.
12. You are bound to furnish security as per the Public Servants' Securities Ordinance in such manner and sum as decided by the Head of the Department.
13. In accordance with the official duties of your post you are liable to discharge your duties at any time of a particular day, despite being required to engage in your duties during the periods of working days stipulated by the government under normal circumstances.
14. You are liable to discharge duties of this post anywhere in the Island on a formal advise given to you immediately or with due notice.
  - (a) You are also subject to serve in the provincial public service. For this purpose, you will be released temporarily to serve in a post belonging to the provincial public service. The period to be served as such will be determined on the concurrence reached between the relevant Provincial Authority and the Appointing Authority on the need of the service, the necessity to deploy personnel and other related matters.
  - (b) A letter of appointment subject to conditions of release from service will be issued to you by the Provincial Authority. You are subject to be transferred within the province by the relevant Provincial Authority.
  - (c) You will be subject to the administration and disciplinary control of the Public Service Commission during such period despite being released to the provincial public service.
  - (d) You are required to revert to the substantive service at the end of the period for which you were released to the provincial public service.
15. You should before the expiry of three months from the assumption of this appointment prove through a formal medical examination report that you are mentally and physically fit to serve in any part of the country. It shall be your responsibility to ensure that this medical examination report is obtained through the Medical Officer in charge of a Government Hospital on Forms General 169 and Health 169.
16. You shall make the affirmation/ take the oath in terms of Schedules 4 and 7 of the Constitution of the Democratic Socialist Republic of Sri Lanka. If you fail to make affirmation/ take oath prescribed by law your appointment shall automatically cease.
17. You should duly establish your identity before taking up this appointment.
18. As soon as you assume duties in your appointment, you should submit a letter on the prescribed form that you have reported for duties. (Appendix 06)
19. On the date of assumption of duties itself you should submit the following documents to the Head of the Institution.
  - (i) Certified copy of your National Identity Card;
  - (ii) Certificate of Birth;

- (iii) Originals and a set of photocopies of educational, other educational and professional certificates in support of the required basic educational qualifications for the post; (The originals will be returned after perusal)
- (iv) Certificate of Marriage, if married: Certificate of Birth of the spouse and, Certificates of Birth of children, if any;
- (v) Service Agreement on Form General 160;
- (vi) Declaration of Assets on Form General 261;
- (vii) Declaration of Assets and Liabilities, as applicable;
- (viii) Addresses permanent and temporary.
20. In the event you resign from this post, due notice should be given before 30 days. You may also resign from this post by paying a sum equivalent to your month's salary in lieu of such notice if the Appointing Authority is in agreement.
21. If the fact that you have submitted erroneous or false information or documents or you have not completed the prescribed qualifications to obtain this appointment in public service is established at any stage after the assumption of this post by you, your appointment will be treated null and void and the appointment revoked forthwith. Furthermore, action will be taken to recover from you all sums of money already paid to you under this appointment as salaries and other allowances by the government/ the provincial council.
22. Please complete the relevant form and forthwith inform the ..... that you are in receipt of this letter and whether you accept this appointment subject to the conditions stated herein.
23. Your appointment will be cancelled in the event you fail to inform the ..... that you accept this appointment in terms of Section 22 above within 14 days of the date on which this appointment takes effect.
24. (Any specific conditions to be met should be stated here.)

Yours faithfully,

Signature

Name

Designation

Copies :

1. ....
2. ....
3. ....
4. ....
5. ....
6. Auditor General

(Strike off the paragraphs that are inapplicable)

**Appendix 04**  
**(Sections 89 and 90 of Chapter VII)**  
**(Section 193 of Chapter XIII)**

My No.

Date

(Registered post)  
(Name).....  
(Address).....  
NIC No. : .....  
Sir/ Madam,

**Appointment to the Post of ..... in the Ministry / Department of ..... on Contract Basis**

I am pleased to inform you that the Public Service Commission has approved appointing you on contract basis in a post of ....  
..... on the results of the interview held on ..... in relation to the recruitment on contract basis to the  
post of ..... for a period of ..... to ..... in the Ministry / Department of .....

02. You shall hold this post on public trust. You shall efficiently and diligently discharge all duties and responsibilities of the post for the benefit of this country and its people.
03. You shall be unreservedly loyal to the Democratic Socialist Republic of Sri Lanka and you are bound to treat the duties of your post in the strictest confidence.
04. You have no right to engage yourself in a job in any other institution or any other profession as long as you are in the public service.
05. This appointment is made solely on contract basis for a period of ..... Accordingly, this appointment will invariably terminate on ..... This appointment may be terminated even before that date as the need demands.
06. You have no right whatsoever to request that you be made permanent in this post by virtue of your holding this appointment which is made on contract basis. Similarly, your holding this post will not grant you any special rights to request that you be appointed to another post in the public service on permanent basis.
07. You will be paid a monthly allowance of Rs. .... You have no right to be entitled to the increase in salary. In addition to this, you will be entitled during the effective period of this appointment to the lawful privileges which an officer permanently appointed to this post is entitled.
08. You should make contributions to the Public Service Provident Fund. The amount to be paid will be announced by the government from time to time.
09. You should discharge your official responsibilities and obligations adhering to all rules, regulations, orders and procedures on the public service enacted by the Public Service Commission. You will also be required to be subject to the Establishments Code of the Democratic Socialist Republic of Sri Lanka and the Financial Regulations of the government and other government regulations, circulars, instructions and amendments issued thereto from time to time.

10. Your contract appointment shall come into effect from the date on which you assume duties. Your appointment may be terminated in accordance with the policies of the government. In the event you wish to resign from the service, notice to me should be given before 30 days. Otherwise, you may pay a sum equivalent to your month's salary in lieu of one month's notice.
11. You are entitled to leave enjoyed by a public officer.
12. You are bound to furnish security in terms of Public Officers' (Security) Ordinance, if so required by the Head of your Department.
13. You shall make the affirmation/ take the oath in terms of Schedules 4 and 7 of the Constitution of the Democratic Socialist Republic of Sri Lanka. If you fail to make affirmation/ take oath during the period prescribed by law your appointment shall automatically cease.
14. You should duly establish your identity before taking up this appointment.
15. As soon as you assume duties in your appointment, you should submit a letter on the prescribed form that you have reported for duties.
16. On the date of assumption of duties itself you should submit the following documents to Secretary to the Ministry.
  - (i) Certified copy of your National Identity Card;
  - (ii) Service Agreement on Form General 160;
  - (iii) Declaration of Assets on Form General 261;
  - (iv) Declaration of Assets and Liabilities as applicable;
  - (v) Addresses permanent and temporary.
17. You will be required to subscribe to the conditions that you will conform to the provisions of the Chapter VI of the Constitution of the Democratic Socialist Republic of Sri Lanka and any laws and rules that now exist or may be introduced in the future for giving effect to the language policy of the government.
18. Please acknowledge the receipt of this letter and inform whether you accept the appointment on contract basis in accordance with the terms and conditions stated herein. Your reply should be forwarded through the Secretary to the Ministry.
19. Your appointment will be cancelled in the event you fail to inform that you accept this appointment in terms of Section 18 above within 14 days of the date on which this appointment takes effect.

Yours faithfully,

.....

Appointing Authority

- Copies :**
1. Ministry of .....
  2. Auditor General
  3. ...., Department of .....
  4. Personal file.

(Strike off the paragraphs that are inapplicable)

**Appendix 05**  
**(Section 93 of Chapter VII)**

(Registered post)

Your No. :

Name : .....

Address : .....

Date : .....

Mr./ Mrs./ Miss,

.....  
.....  
.....

**Appointment of the post of .....**  
**in the Ministry/ Department of .....**

This refers to your letter No. .... dated .....

02. I hereby inform you that I agree to accept the appointment in the public service offered to me by the letter under reference subject to conditions stated therein.
03. I hereby inform you that I do not wish to accept the appointment in the public service offered to me and the letter of appointment is returned herewith.

Yours faithfully,

Signature .....

National Identity No. ....

(Strike off paragraphs not applicable.)

**Appendix 06**  
**(Section 96 of Chapter VII)**

(To be submitted in duplicate)

Address : .....

.....

.....

.....

Date : .....

To .....

Through .....

Mr./ Mrs./ Miss,

**Reporting for duty in the post of .....in the  
 Ministry/ Department of .....**

This refers to the letter No. .... dated ..... issued by ..... appointing me to the post stated above.

02. I hereby confirm that I reported for duty to ..... on ..... for discharging the relevant duties and responsibilities subject to the conditions stated in the letter under reference.

Yours faithfully,

Signature: .....

Name : .....

Designation : .....

I hereby certify that (Mr./ Mrs./ Miss) ..... reported for duty in the post of .....  
 ..... at the office of ..... on .....

Signature: .....

Name : .....

Designation : .....

Date : .....

Official Stamp : .....

**Appendix 07**  
**(Section 113 of Chapter VIII)**

Address : .....

My No. : .....

.....

Date : .....

Mr./ Mrs./ Miss .....

National Identity Card No. : .....

Through .....

**Termination of Appointment**

You are hereby informed that your appointment which was subject to a period of probation is terminated with immediate effect in terms of Section 113 of Chapter VIII of the Procedural Rules of the Public Service Commission, due to your failure to fulfil the requirements stated in Section 110 of Chapter VIII of Volume I of the said Procedural Rules.

02. Please settle all advances and loans drawn by you from the government on or before ..... Failure to do so will result in legal action being taken against you.

03. Furthermore, you are required to duly hand over all government properties, documents, keys, computer passwords and official identity card etc. in your charge before ..... Failure to do so will also result in legal action being taken against you.

(Appointing Authority)

Signature: .....

Name : .....

Date : .....

Designation : .....

Copies :

1. Accountant
2. Auditor General
3. Personal file of the officer

(This form should be made use of with amendments where necessary.)

**Appendix 08**  
**(Sections 114, 117 and 120 of Chapter VIII)**

Reference No: .....

**Annual Review Report on officers during the period of probation**

(All information should be completed. Indicate 'No' or 'Not applicable' as the case may be)

**1. Particulars of the officer**

- 1.1 Name of the officer :  
1.2 Post :  
1.3 National Identity Card No. :  
1.4 Duty station :  
1.5 Date of appointment  
1.6 Date of assumption of the appointment :  
1.7 Date ending the period of probation :  
1.8 Period relevant to the Review: From ..... to.....

**2. A brief description of the duties assigned to the officer**

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

**3. Attendance**

- 3.1 Does he attend office for duties at the due time or before it? Yes / No  
3.2 Does he habitually come late for duties? Yes / No  
3.3 Does he duly attend to his duties during prescribed hours? Yes / No  
3.4 Does he spend office time to attend to other matters extraneous to duties? Yes / No  
3.5 Leave particulars for the relevant period:

Casual	Vacation	Sick	Half pay	No pay
.....	.....	.....	.....	.....

**4. Discipline and Conduct**

- 4.1 Discipline and conduct within the place of work weak / satisfactory / good / very good  
4.2 Discipline and conduct outside office hours and place of work  
weak / satisfactory / good / very good  
4.3 Description in brief of disciplinary action on the officer during the relevant period:

.....  
.....  
.....

**5. Performance of duties**

- 5.1 Efficiency weak / satisfactory / good / very good
- 5.2 Reliability weak / satisfactory / good / very good
- 5.3 Knowledge of laws, rules, procedures, regulations, circulars etc.  
weak / satisfactory / good / very good

**6. Any special skills shown:**

.....  
.....

**7. Any noticeable weaknesses shown:**

.....  
.....

**8. Particulars of passing over the Efficiency Bar:**

.....  
.....

**9. Particulars on gaining proficiency in the official languages:**

.....  
.....

**10. Additional educational and professional qualifications obtained:**

.....  
.....

**11. Matters to be brought to the attention of the officer:**

.....  
.....

**12. Overall conclusion on the officer in consideration of all relevant factors:**

weak / satisfactory / good / very good

**13. The conclusions of this Review Report were brought to the notice of the officer on .....**

(Immediate Supervising  
Staff Officer)

(Head of Department / Institution)

Signature : .....

Signature : .....

Name : .....

Name : .....

Designation : .....

Designation : .....

Date : .....

Date : .....

**14. The conclusions of this Review Report were brought to my notice on .....**

(Officer)

Signature : .....

Name : .....

Designation : .....

Date : .....

**Appendix 09**  
**(Section 124 of Chapter VIII)**

My No. :

Address : .....

.....

Date : .....

Mr./ Mis. / Mrs. ....

National Identity Card No. : .....

Through .....

**Reversion to the former post**

You are hereby informed that your appointment which was subject to a probation period of one year is terminated with immediate effect in terms of Section 124 of Chapter VIII of the Procedural Rules of Public Service Commission due to your failure to fulfil the requirements stated in Section 110 of Chapter VIII of Volume I of the said Procedural Rules.

02. Accordingly, you are reverted to your former post. / you are reverted to your former post on supernumerary basis.

03. Please duly hand over all government properties, documents, keys, computer passwords and official identity card in your charge before .....

**(Appointing Authority)**

Signature:.....

Name : .....

Date : .....

Designation : .....

Copies :

1. Accountant
2. Former Appointing Authority
3. Auditor General
4. Personal file of the officer

**Appendix 10**  
**(Sections 126 and 128 of Chapter VIII)**

Address : .....  
.....  
.....  
Date : .....

Mr. / Mrs. / Ms. ....  
Though (Head of Department / Institution)

**Confirmation in Service**

I am pleased to inform you that you are confirmed / that the ..... (Appointing Authority) has approved the confirmation of you in the ..... service/ post of ..... from .....

\* Please also be informed that your period of probation has been extended from ..... to ..... in terms of the provisions in Sections 125, 127 and 128 of Chapter VIII of Volume I of the Procedural Rules of the Public Service Commission.

(Appointing Authority/ Administrative Authority)  
.....

Signature :.....  
Name :.....  
Designation :.....

\* State, only if applicable

**Appendix 11**  
**(Section 145 of Chapter X)**

My No. : .....

Address : .....

.....

Date.....

Mr./ Mrs./ Ms. ....

(Post): .....

National Identity Card No. ....

Through .....

**Notice of passing over of the ... st/ nd/ rd Efficiency Bar**

You are hereby informed that you have passed the ... st/ nd/ rd Efficiency Bar relating to the post of..... referred to in the Service Minute / Scheme of Recruitment of the ..... service/ post with effect from .....

(Appointing Authority/ Administrative Authority)

Signature : .....

Name : .....

Designation : .....

Copies :

- 1.
- 2.
- 3.
4. Personal file

**Appendix 12**  
**(Sections 166 and 178 of Chapter XII)**

Address : .....  
 .....  
 Date : .....

(Appointing Authority)

.....

Through (Head of Department/ Institution)

.....

**Request for permanent/ temporary release from public service for employment in the post of ..... in  
 ..... on the instance of the officer**

**1. Particulars of the public officer :**

- 1.1 Full name : .....
- 1.2 Service : ..... Class : ..... Grade : .....
- 1.3 Post : .....
- 1.4 Workstation : .....
- 1.5 Department/ Institution : .....
- 1.6 Ministry : .....
- 1.7 The date of confirmation in public service : .....
- 1.8 Whether any impediment for this release in terms of Section 173 of Chapter XII of Volume I of the Procedural Rules of the Public Service Commission and details, if any. (Should be completed compulsorily)  
 .....  
 .....  
 .....

1.9 Details of temporary releases from the public service prior to this : (Should be completed compulsorily)

Institution	Post	Period	Years	Months
.....	.....	from ..... to .....	.....	.....
.....	.....	from ..... to .....	.....	.....
.....	.....	from ..... to .....	.....	.....
.....	.....	from ..... to .....	.....	.....

**2. The post in which the officer is expected to serve after release:**

- 2.1 Institution :
- 2.2 Ministry :
- 2.3 Trade Union/ Welfare Union :
- 2.4 Post :
- 2.5 Whether the request is for permanent or temporary release :
- 2.6 If temporary, for how long :
- 2.7 Date expected to assume duties in the post :

3. I forward herewith the letter issued by ..... expressing willingness to appoint me to the post of ..... in the ..... and the consent of the Head of the Institution to be served after the release.
4. I forward herewith a certified copy of the minutes of the meeting of the ..... of the ..... Trade Union / ..... Welfare Society stating that I have been selected for the post of ..... in the said union and that it is necessary for them to have me temporarily released from the public service for duties in the said post. I also forward herewith the details about the number of members registered in the said union and a copy of the approved constitution.
5. I certify that the facts stated by me above are true. I also express my willingness for the release. This request is submitted in terms of Section 166 of Chapter XII of Volume 1 of the Procedural Rules of the Public Service Commission. Accordingly, I request that I be permanently / temporarily released from the public service for duties in the post of ..... in the .....

.....  
Date

.....  
Signature of officer

**6. Recommendation of the Head of Department/ Institution:**

I, to my knowledge and belief, certify that the above-mentioned facts are true according to the personal file. I further certify that I examined it with emphasis on facts in 1.8 and 1.9.

.....  
Signature of the Head of Department  
Official Seal

Date .....

**7. Recommendation of the Secretary to the Ministry:**

I am satisfied with the facts above and recommend temporary/ permanent release from the public service from ..... to .....

.....  
Signature of the Secretary to the Ministry  
Official Seal

Date .....

**8. Recommendation of the Administrative Authority:**

I recommend Mr./ Mrs./ Ms. .... be released temporarily/ permanently from the public service from ..... to .....

.....  
Signature of the Administrative Authority  
Official Seal

Date : .....

(Strike off the words and sentences that are inapplicable)

**Appendix 13**  
**(Sections 166 and 178 of Chapter XII)**

My No. : .....  
Address .....  
Date .....

(Appointing Authority)

.....

**Request for permanent / temporary release of a public officer from the post he presently holds on the need of the government**

**1. Particulars of the Officer :**

- 1.1 Full Name :
- 1.2 Service :                      Class :                      Grade :
- 1.3 Post :
- 1.4 The date of confirmation in public service / post :
- 1.5 Workstation :
- 1.6 Department / Institution :
- 1.7 Ministry :

**2. The post to which the officer is to be appointed after the release :**

- 2.1 Post :
- 2.2 Salary Scale :
- 2.3 Workstation :
- 2.4 Institution :
- 2.5 Any impediments for this release in terms of section 173 of Chapter XII of Volume I of the Procedural Rules of the Public Service Commission and details if any (Should be completed compulsorily)

.....  
.....  
.....

**2.6 Details of temporary releases from the public service prior to this**

Institution	Designation	Period	Years	Months
.....	.....	From....to.....	.....	.....
.....	.....	From....to.....	.....	.....
.....	.....	From....to.....	.....	.....

**3. Proposed Release :**

- 3.1 Whether permanent or temporary:

3.2 If temporary, for how long :

For a period of ..... years.....Months..... Days from ..... to .....

4. The letter of consent by the officer is attached as Annex .....
5. The letter of consent for the release of the Head of Institution/ Administrative Authority under whom the officer presently serves is attached as Annex .....
6. 25% of the consolidated salary of the officer as contribution to his pension and contributions to the Widows' and Orphans' Pension Fund / Widowers' and Orphans' Pension Fund will be duly paid by the ....., who is expected to employ the officer.
7. Accordingly, I request that the above officer be released temporarily / permanently from the post he presently holds and the public service for appointment to above post. I am in agreement with the release and please take necessary action thereon.

Signature : .....

Name : .....

Designation : .....

Date : .....

(Should be completed by the Secretary of the Ministry / Head of Institution under whom the officer is proposed to be appointed)

(Strike off the words and sentences that are inapplicable)

**Appendix 14**  
**(Section 214 of Chapter XV)**

Address : .....

.....

Ref. No : .....

Date : .....

Mr. / Mrs. / Ms.....

.....

.....

**Notice of Vacation of Post**

You who were holding the post of ..... in this Ministry/ Department have not reported for duty from ..... without leave being duly approved.

02. Accordingly, you are hereby informed in terms of section 214 of Chapter XV of Volume I of the Procedural Rules of the Public Service Commission that you are deemed to have vacated your post from .....
03. Please settle all advances and loans drawn by you from the government before ..... Failure to do so will result in legal action being taken against you for the recovery of such dues.
04. Furthermore, Please duly hand over all government properties, documents, keys, computer passwords and official identity card in your charge before ..... Failure to do so will also result in legal action being taken against you.
05. As a result of the vacation of your post you will forfeit the right to be reappointed to a post in the public service and the right to a pension or grant under the Minutes on Pensions.

Signature : .....

Name : .....

Designation : .....

Copies :

1. Appointing Authority
2. Auditor General

**Appendix 15**  
**(Sub Section 253(V) of Chapter XVIII)**

Name : .....

Designation : .....

Address : .....

.....

.....

Your No. : .....

Date : .....

Through Head of Institution/ Department

(Appointing Authority)

.....

**Representation on the proposed annual transfer**

I have been informed by your letter/ proposed annual transfer schedule No. .... dated ..... that it is proposed to transfer me to the .....

02. I kindly request under Sub Section 253(V) of Chapter XVIII, Volume I of the Procedural Rules of the Public Service Commission to reconsider the proposed transfer be cancelled / varied in view of the facts described below.

2.1 .....

.....

2.2 .....

.....

2.3 .....

03. Certified photocopies of following documents are attached in support of the above facts.

04. I kindly request that I be transferred to one of the following workstations.

1<sup>st</sup> preference .....

2<sup>nd</sup> preference .....

3<sup>rd</sup> preference .....

.....

Signature

Recommendation of the Head of Department

(Appointing Authority)

.....

I am satisfied/ not satisfied that the above facts stated by ..... are correct. This request is recommended/ not recommended.

Signature : .....

Name : .....

Date : .....

Designation : .....

**Appendix 16**  
**(Sub Section 256 (I) and (V) of Chapter XVIII)**

Submission of appeals against the decisions on annual transfers ..... to the Public Service Commission  
Particulars of Appellant Officer

**a. Personal Information**

1. Name with initials:-			
2. Post & Class (Grade)			
3. Date of Birth :- DD/MM/YYYY	4. Age:- ... years ... months ... days (As at 31.12.20...)	5. National Identity Card No. :-	06. Male / Female
7. Permanent Address :-	08. Temporary Address:-	9. Telephone No. Office :- Private :-	
10. Merital status	11. Name of Spouse:-	12. Occupation and place of work of Spouse:-	
13. No. of children	14. Their ages:-	15. Schools attended:-	

**b. Service Information**

16. Date of appointment to the post :-						
17. Present workstation :-		18. City where the workstation is situated :-				
19. Date of reporting to the present workstation:- DD/MM/YYYY		20. Period of service in the present workstation (as at 31.12.20...):- ..... Years ..... Months .....Days				
21. Have you served in a beneficial (popular) workstation / workstations?						
22. Former workstations served in the public service	Workstation		Popular workstation. / Unpopular workstation.		Period of service	
					From Year/ Month/ Date	To Year/ Month/ Date
	1					
	2					
	3					
	4					
	5					
	6					

**c. Details of annual transfer request (Mark ✓ in the relevant cage.)**

23	Have you applied for annual transfers	Yes	Workstations to which you have made applications seeking transfers, if any 1. 2. 3.
		No	
Any such workstations to which you have received annual transfers			

24. Number of officers involving the transfer circle .....

25	Have you applied to the Transfer Review Committee	Yes	
		No	

26. Details of the request made to the Transfer Review Committee

Cancellation of the transfer		If applied for variation of transfer, workstations so applied for 1. .... 2. .... 3. ....
Variation		
To obtain a new transfer		

27. Decision of the Transfer Review Committee
---

28. Reasons for submitting of an appeal to the Public Service Commission against decision of the Transfer Review Committee

1. ....
2. ....
3. ....

29. Certified copies of relevant written facts in support of above reasons are attached as Annexes as given below.

- Annex (01) .....
- Annex (02) .....
- Annex (03) .....

30. Relief sought

1. ....
2. ....
3. ....

I declare that the foregoing information is true and accurate.

.....  
Date

.....  
Signature

**d. Recommendation of the Secretary to the Ministry / Head of Department**

1. I certify that above information stated by the officer is correct according to his / her personal file.
2. I recommend the appeal on annual transfers 20... submitted to the Public Service Commission./ I do not recommend due to following reasons.

- i. ....
- ii. ....
- iii. ....

3. The Appellant can be released/ cannot be released without a successor.

.....  
Date

.....  
Signature

**e. Recommendation of the Transferring Authority**

- i. Number of officers involving the transfer circle : .....

- ii. Recommendation on the appeal : .....  
.....  
.....

.....  
Date

.....  
Signature

**Appendix 17**  
**(Sub Section 256 (V) of Chapter XVIII)**

Submission of appeals against the decisions on annual transfers ..... to the Public Service Commission

Particulars of Succeeding Officer

I. Name and post of the Appellant Officer : .....

II. Information of the relevant Succeeding Officer of the Appellant

**a. Personal Information**

1. Name with initial:-			
2. Post & Class (Grade)			
3. Date of Birth :- DD/MM/YYYY	4. Age :- ... years ... months ... days (As at 31.12.20...)	5. National Identity Card No. :-	06. Male / Female
7. Permanent Address:-	8. Temporary Address:-	9. Telephone No. Office :- Private :-	
10. Marital status	11. Name of Spouse:-	12. Occupation and place of work of Spouse:-	
13. No. of children	14. Their ages:-	15. Schools attended:-	

**b. Service Information**

16. Date of appointment to the post:-						
17. Present workstation :-			18. City where the workstation is situated :-			
19. Date of reporting to the present workstation:- DD/MM/YYYY			20. Period of service in the present workstation (as at 31.12.20...):- .....Years ..... Months .....Days			
21. Have you served in a beneficial (popular) workstation / workstations?						
22. Former workstations in the public service	Workstation		Popular workstation / Unpopular workstation		Period of service	
					From Year/ Month/ Date	To Year/ Month/ Date
	1					
	2					
	3					
	4					
	5					
6						

**c. Details of annual transfer request (Mark ✓ in the relevant cage.)**

23	Have you applied for annual transfers	Yes		Workstations to which you have made applications seeking transfers, if any 1. 2. 3.
		No		
Any such workstations to which you have received annual transfers				

24. Have you applied to Annual Transfer Review Committee	Yes	
	No	

25. Request made to the Annual Transfer Review Committee		
Cancellation of the transfer		If applied for variation of transfer, workstations so applied for 1. .... 2. .... 3. ....
Variation		
To obtain a new transfer		

26. Decision of the Transfer Review Committee
---

27. Whether the successor of the appellant have submitted an appeal to the Public Service Commission  
 .....

28. In the event of the request of the Appellant being allowed, the observations and recommendations of the Transferring Authority on implementation of cycle of transfer without being prejudice to the Succeeding Officer.  
 .....  
 .....  
 .....

.....  
 Date

.....  
 Signature

**Appendix 18**

**(Sub Section 257(VI) of Chapter XVIII)**

My No. :  
Address :  
Date :

Mr. / Mrs. / Ms. ....  
(Post) .....  
(Institution) .....  
Sir, / Madam,

**Release from service as per the annual transfer order .....**

You have been transferred with immediate effect to the Office of the ..... Commission / Ministry / Department / Institution of ..... on the annual transfer order No. .... dated ..... of the Secretary of the Public Service Commission / Secretary of the Health Service Committee of the Public Service Commission / Secretary of the Education Service Committee of the Public Service Commission / Secretary to the Ministry of ..... / Director General of ..... / Commissioner General of .....

02. I accordingly wish to inform you that you are on release from the service of this Office of ..... Commission / Ministry / Department / Institution of ..... after the service on ..... so as to enable you to assume duties in the new workstation on .....

03. Before going on transfer, you are required to duly hand over in writing all files, documents, keys, computer passwords and official identity card of the government and other government properties in your custody to ..... (Name and designation of the designated officer).

04. You are required to assume duties in the new workstation and inform the Secretary to the Ministry of ..... of such fact through the Head of the Department / Institution with a copy to me.

05. You are further informed that if you do not report for duty on the due date at the new workstation as per the annual transfer order above, you will be deemed to have vacated the post on your own accord in terms of provisions in Section 2.9.5 of Chapter XVII of Procedural Rules of the Public Service Commission.

Signature .....

Name .....

Designation .....

(Permanent address of the officer..... Telephone No. ....)

Copies

- 01.
- 02.
- 03.

04.

**Appendix 19**  
**(Section 267 of Chapter XVIII and Section 280 of Chapter XIX)**

Name with initials: .....  
Address : .....  
Date : .....

Secretary to the Public Service Commission  
Through Head of Department / Institution  
Through Appointing Authority  
Through Secretary to Ministry

**Appeal against non-annual transfer orders**

01. Particulars of the Appellant

- 1.1 Full Name : .....
- 1.2 Private Telephone No. ....
- 1.3 Service : ..... Class ..... Grade: .....
- 1.4 Post : .....
- 1.5 Present Workstation : .....
- 1.6 Department / Institution : .....
- 1.7 Ministry : .....

02. Details on decision / order on which the appeal is based

- 2.1 By whom the transfer decision / order was made (State the designation of the authority who made the decision.)  
.....
- 2.2 State briefly as to what transfer decision / order was made by the above authority.  
.....
- 2.3 The date on which the officer received the transfer decision / order  
.....
- 2.4 State clearly whether the transfer was made on exigencies of service or disciplinary grounds (Mark ✓ in the relevant cage)  
  
A transfer on exigencies of service   
  
A transfer on disciplinary grounds
- 2.5 In the case of a transfer on disciplinary grounds, state clearly as to what circumstance below under which it was made. (Mark ✓ in the relevant cage.)

- 2.5.1 On the grounds revealed prior to commencement of a Preliminary Inquiry
- 2.5.2 On the grounds revealed during the course of a Preliminary Inquiry
- 2.5.3 On the grounds revealed subsequent to holding a Preliminary Inquiry
- 2.5.4 Inclusion of a transfer as a punishment of a disciplinary order issued after the Formal Disciplinary Inquiry

2.6 Certified copies of the letters containing the transfer decision / order above have been attached as following Annexes.

Annex (1) .....

Annex (2) .....

N.B. It is possible to make an appeal by this format if a transfer is only included as a punishment of a disciplinary order as stated in 2.5.4 above. Where disciplinary order includes other punishments in addition to the transfer, a separate appeal should be made against such overall disciplinary order in terms of the provisions in Sections 26:5 and 26:6 of chapter XLVIII of the Establishments Code.

03. Relief sought by the Appellant by the submission of appeal  
.....  
.....

04. Reasons/ facts given by the Appellant for seeking the relief stated under 03 above

- 4.1 .....
- 4.2 .....
- 4.3 .....
- 4.4 .....
- 4.5 Certified copies of written facts in support of the above reasons / facts have been attached as following Annexes.  
Annex (1).....  
Annex (2) .....
- Annex (3) .....

05. Declaration of the Appellant

I declare that all the information above is true and accurate to my knowledge and that I am well aware of the fact that the intentional furnishing of false and incorrect information will by itself lead to the dismissal of the appeal and be subject to the disciplinary action.

Signature : .....  
 Name : .....  
 Designation : .....

06. Observations / recommendations of the Head of Department / Institution

.....,

My observations on the above appeal are given below.

- 1.....
- 2.....
- 3.....
- 4.....

Accordingly, I recommend granting relief sought by the Appellant is suitable. / not suitable.

Signature : .....  
Name : .....  
Designation : .....

07. Observations / recommendations of the Appointing Authority

.....,

My observations on the above appeal are given below.

- 1.....
- 2.....
- 3.....
- 4.....

Accordingly, I recommend granting relief sought by the Appellant is suitable./ not suitable.

Signature : .....  
Name : .....  
Designation : .....

08 Observations / recommendations of the Secretary to the Ministry

.....,

My observations on the above appeal are given below.

- 1.....
- 2.....
- 3.....
- 4.....

Accordingly, I recommend granting relief sought by the Appellant is suitable./ not suitable.

Signature : .....  
Name : .....  
Designation : .....

Copy

01. Secretary, Public Service Commission – (This advance copy is forwarded to you for necessary action please)

**Appendix 20**  
**(Section 280 of Chapter XIX)**

Name with initials: .....  
Address: .....  
Date : .....

**Secretary to the Public Service Commission**  
**Through Head of Department/ Institution**  
**Through Appointing Authority**  
**Through Secretary to Ministry**

.....  
**Appeal made against promotions**

01. Particulars of the Appellant

- 1.1 Full Name : .....
- 1.2 Private Telephone No. : .....
- 1.3 Service : ..... Class : ..... Grade : .....
- 1.4 Post : .....
- 1.5 Present Workstation : .....
- 1.6 Department / Institution : .....
- 1.7 Ministry : .....

02. Details on decision / order on which the appeal was based

- 2.1 By whom the decision / order on promotion was made (State the designation of the authority who made the decision.)  
.....
- 2.2 State briefly as to what decision / order was made by the above authority on the promotion.  
.....
- 2.3 The date on which the Appellant received the decision / order on the promotion.  
.....
- 2.4 Certified copies of letters containing the decision / order on the promotion have been attached as following Annexes.  
  
Annex (1) .....  
Annex (2) .....

03. Relief sought by the Appellant by the submission of appeal

.....  
.....  
.....

04. Reasons/ facts given by the Appellant for seeking the relief stated under 03 above

- 4.1 .....
- 4.2 .....
- 4.3 .....
- 4.4 .....
- 4.5 Certified copies of written facts in support of the above reasons / facts have been attached as following Annexes.

- Annex (1).....
- Annex (2) .....
- Annex (3) .....

05. Declaration of the Appellant

I declare that all the information above is true and accurate to my knowledge and that I am well aware of the fact that the intentional furnishing of false and incorrect information will by itself lead to the dismissal of the appeal and be subject to the disciplinary action.

Signature : .....  
Name : .....  
Designation : .....

06. Observations / recommendations of the Head of Department / Institution

.....,

My observations on the above appeal are as follows.

- 1.....
- 2.....
- 3.....
- 4.....

Accordingly, I recommend granting relief sought by the Appellant is suitable./ not suitable.

Signature : .....  
Name : .....  
Designation : .....

07. Observations / recommendations of the Appointing Authority

.....,

My observations on the above appeal are as follows.

- 1.....
- 2.....
- 3.....
- 4.....

Accordingly, I recommend granting relief sought by the Appellant is suitable. /not suitable.

Signature :.....  
Name :.....  
Designation :.....

08. Observations / recommendations of the Secretary to the Ministry

.....,

My observations on the above appeal are as follows.

- 1.....
- 2.....
- 3.....
- 4.....

Accordingly, I recommend granting relief sought by the Appellant is suitable./ not suitable.

Signature :.....  
Name :.....  
Designation :.....

Copy  
Secretary, Public Service Commission – (This advance copy is forwarded to you for necessary action please.)

**Appendix 21**  
**(Section 288 of Chapter XX)**

**Register of appointments and promotions of public officers to be maintained by the authority with delegated power**

Srl. No.	Date	Name of officer	NIC No. of officer	Service, Class, Grade	Post	Nature of Appointment				Whether it is a Promotion
						Casual	Temporary	Contract	Permanent	

**Appendix 22**  
**(Section 288 of Chapter XX)**

**Register of public officers dismissed from service to be maintained by the authority with delegated power**

Srl. No.	Name, Service, Class, Grade, Post of officer	NIC No. of officer	Reasons for dismissal in brief	Date of Dismissal	File No.	Remarks

**Appendix 23**  
**(Section 288 of Chapter XX)**

**Register of public officers who have resigned from service to be maintained by the authority with delegated power**

Srl. No.	Name, Service, Class, Grade, Post of officer	NIC No. of officer	Reasons for Resignation	Date of Resignation	File No.	Remarks

**Appendix 24**  
**(Section 288 of Chapter XX)**

**Register of public officers who have vacated the post to be maintained by the authority with delegated power**

Srl. No.	Name of Officer	Service, Class, Grade & Post	NIC No. of officer	Date of Vacation of Post	Date of the Notice issued	Remarks

**Appendix 25**  
**(Section 288 of Chapter XX)**

**Register of public officers under interdiction and those sent on compulsory leave to be maintained by the authority with delegated power**

Srl. No.	Name of officer	Service, Class, Grade & Post	NIC No. of officer	Whether an interdiction	Whether a compulsory retirement	Reasons for such action in brief	Remarks

**Appendix 26**  
**(Section 288 of Chapter XX)**

**Register of retired public officers to be maintained by the authority with delegated power**

Srl. No.	Name of officer	Service, Class, Grade & Post	NIC No. of officer	Reasons for Retirement		Date of Retirement	Remarks
				Optional Retirement	Compulsory Retirement		

**Appendix 27**  
**(Section 288 of Chapter XX)**

**Register of public officers retired for general inefficiency to be maintained by the authority with delegated power**

Srl. No.	Name of officer	Service, Class, Grade & Post	NIC No. of officer	Reasons for retirement in brief	Date of Retirement	Remarks

**Appendix 28**  
**(Section 288 of Chapter XX)**

**Register of public officers retired as a merciful alternative to dismissal from service to be maintained by the authority with delegated power**

Srl. No.	Name of officer	Service, Class, Grade & Post	NIC No. of officer	Reasons for retirement in brief	Date of Retirement	Remarks

**Appendix 29**  
**(Sections 288 and 289 of Chapter XX)**

**Biannual report on changes in staff furnished by the authority with delegated power to the Public Service Commission**  
**From ..... to .....**

New Appointments				No. of Pro-motions	No. of dismissals	No. of Resignations	No. of vacation of posts	No. of retire-ments	No. of inter-dictions	No. sent on com-pulsory leave
Casual	Tempo-rary	Con-tract	Perma-nent							

Signature:  
Name:  
Designation:  
Date:  
(Head of Department)

**Appendix 30**  
**(Sections 288 and 290 of Chapter XX)**

**Register to be maintained on the entire staff in every government office/ institution**

Srl. No.	Date on which the officer commenced service in the office/ institution	Name of officer	National Identity card number	Designation	Manner in and date on which the officer left the service of the office/ institution	
					Manner	Date