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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

APPOINTMENT, PROMOTION AND TRANSFER OF PUBLIC OFFICERS

Issued by the Public Service Commission in terms of Article 61 B and 58 (1) of the Constitution of the Democratic Socialist Republic of Sri Lanka - 2009

PROCEDURAL RULES 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 terms of Article 61 B and 58 (1) of the Constitution of the Democratic Socialist Republic of Sri Lanka the Public Service Commission enacted these procedural rules on appointment, promotion and transfer of Public Officers and to provide for matters connected therewith and incidental thereto.

These procedural rules shall come into force with effect from 02nd April, 2009.

Interpretations and decisions on any matter not covered by these procedural rules shall be made by the Public Service Commission.

By order of the Public Service Commission,

H.D.L. GOONEWARDENE,
Secretary,
Public Service Commission.

20th February, 2009.

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(1) of the Constitution the appointment, promotion, transfer, disciplinary control and dismissal of Public Officers is vested in the Public Service Commission subject to Article 55(2), 55(3) and 61F of the Constitution.

3. Subject to Article 12(1) of the Constitution the Commission reserves to itself the right to deviate from rules, regulations and procedure laid down by the Commission 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(1) 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 there arises any contradiction between the interpretation and the desired objective 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(4) 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 such 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 Article 56(2), 56(3), 56(4) and in terms of Article 57(1) the Commission may delegate to a Public Officer subject to such conditions and procedure 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 Heads of Departments and disciplinary control over them in terms of Article 55(3) of the Constitution.

Accountability to Parliament :

9. In terms of Article 55(5) 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 126 and 59(2) 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 61C (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 under this Chapter, 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. Any Committee or any Public Officer on whom powers have been delegated by the Commission in terms of Section 7 of Chapter 1, shall be responsible and answerable to the Commission regarding the exercise of such delegated powers.

13. Where powers has been delegated to a Committee such power shall be exercised by the Committee itself and shall not act on the presumption that the power has been delegated to individual members of the Committee.

14. The authority with delegated power shall exercise such powers by itself and shall not re-delegate such powers to any other person or body of persons or a Committee.

15. All acts or decision made by any outside person or a committee exercising powers delegated by the Commission to a Committee or Public Officer shall have no effect or force. The delegated authority which authorised or facilitated such action and person exercised such power shall be personally responsible for any harm or loss caused due to such act or decision.

16. Where powers have been delegated to any Committee or any Public Officer by the Commission, such powers shall be exercised within the scope/limit of such delegation. Any acts or decisions made in excess of the limit of delegation shall be null & void. The Authority with Delegated Power shall be personally liable for any harm or loss caused by such acts or decisions.

17. An Authority with Delegated Powers making decisions or performing acts on the instructions or influence or orders of any one other than the Commission shall be treated as an offence under Schedule 1 of Vol. II of the Procedural Rules of the Commission. All such decisions or acts shall have no force or effect. The Authority with Delegated Power 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 Administrative Appeal Tribunal or by a Court or Law properly constituted under the Constitution.

18. An Authority with Delegated Powers shall exercise such powers in accordance with the procedural rules of the Commission, impartially, equitably, and in good faith and in a transparent manner.

19. An Authority with Delegated Power shall act promptly on matters entrusted to him. Where there is a delay due to reasons beyond his control such fact shall be reported to the Commission forthwith

20. Where problem arises in the exercise of powers delegated by the Commission, clarifications or instructions shall be obtained from the Commission.

21. 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 persons, 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 under this Chapter, 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 III

Appointment

22. The power of appointing officers to the public service is vested in the Commission in terms of Article 55(1) of the Constitution. The Commission may, as the occasion demands, delegate such power to a Committee or a Public Officer subject to provision of Article 55(2), 55(3) and 61F.

23. The appointments by the Commission shall be as follows. Other than those appointments set out in V and VI, the rest of the appointments may be made by an authority exercising powers delegated by the Commission.

- (i) Appointment to a post on casual, substitute, contract, permanent and acting basis and to attend to the duties of a post.
- (ii) Change of existing service status of an officer.
- (iii) Appointment of an officer holding a post in the public service to another post in the public service.
- (iv) Reinstatement of an employee who had been treated as having vacated his post.
- (v) Re-employment or reinstatement of an officer who had retired from the public service or duly resigned from the public service.
- (vi) Reinstatement of an employee who had been dismissed from service.
- (vii) Appointment of an employee from a lower grade to a higher grade in the public service other than graded promotions in any particular service.

24. An appointment on casual basis shall be made only if allocations are made in the annual estimate or in the approved estimate for the relevant task. The service of such persons shall cease upon the task is completed. He shall be paid an allowance on a daily basis or in the manner agreed upon by the parties. A casual employee shall have no claim for permanency or a post on the basis of his casual appointment.

25. To fill vacancies in the public service the appointing authority shall call for applications by advertisement in accordance with the service minute or scheme of recruitment approved by the Commission except where the appointment is on acting basis or to attend to the duties.

26. Appointment on substitute basis shall be made solely on the basis of paying daily wages. The substitute service shall cease once the substantive holder of the post reports back for service. Only those who possess qualifications in terms of the Scheme of Recruitment shall be considered for such appointments.

27. An appointment on contract basis or to attend to the duties of a post or on acting basis or on a permanent basis shall be made only if the post falls within the approved cadre of the relevant institution, has an approved Service Minute or Scheme of Recruitment and funds have been provided for by the Treasury.

28. An appointment can be made only if a vacancy in the approved cadre occurs. A vacancy occurs only if a new post is created or the services of the holder of a post have been terminated. No vacancy occurs if the holder of a post is on full-pay or no-pay leave or has been temporarily released for other duties or under interdiction or is on leave preparatory to retirement. Provided, however, Appointing Authority may make an appointment to attend to the duties of a post or to act in a post for reasons of exigencies of service.

29. All appointments in the public service, other than casual and substitute appointments shall be made in accordance with the Service Minute or the Scheme of Recruitment of the respective post.

30. The date of the letter of appointment or the date on which the officer assumes duties, whichever comes later, shall be the effective date of the appointment.

31. No appointment, for whatever reason, shall be ante-dated.

32. No person shall be appointed to a post in the public service or employed under any designation on honorary or voluntary capacity.

33. The Commission has the power of grading and designating posts in the public service lay down conditions of service and determine scales of salary or wages within the salary structure of the public service, where necessary, in consultation with Ministry of Public Administration, the Treasury, National Salaries and Cadre Commission and in conformity with national policy on salaries of Government service.

CHAPTER IV

Service Minutes & Schemes of Recruitment

34. For each approved service in the public service, there shall be a Service Minute and for each post falling outside those services, there shall be a Scheme of Recruitment. Such Service Minute or Scheme of Recruitment shall contain qualifications for recruitment, method of recruitment, salary scales, service conditions, methods of promotion and all other relevant information.

35. Draft Schemes of Recruitment shall be prepared in accordance with the standard format. Schemes of Recruitment and Service Minutes shall be submitted to the Commission for approval by the Secretary to the relevant Ministry with the observations and recommendations of the Director General of Establishments.

36. Where need arises to amend an approved Scheme of Recruitment or a Service Minute, a draft of the amended Scheme of Recruitment or the Service Minute along with a schedule of the proposed amendments shall be submitted to the Commission for approval by the Secretary to the relevant Ministry with the recommendations of the Director General of Establishments.

37. The schedule referred to above shall include the reasons for the amendment of the Scheme of Recruitment or the Service Minute, matters to be amended, and relevant paragraphs and texts *etc.* Further, the draft of the amended Service Minute or the Scheme of Recruitment shall be prepared by incorporating the proposed amendments and highlighting them by underlining.

38. The Commission shall have the discretion to approve or approve with revisions or reject or revoke a Scheme of Recruitment or Service Minute or the proposed amendments 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 where necessity arises, in consultation with the relevant authorities.

CHAPTER V

Persons not qualified for appointment to the Public Service

39. A person who has been in the public service or in a public corporation and has been compulsorily retired for general inefficiency or retired as a merciful alternative to dismissal or retired as a punishment or who has been dismissed after a formal inquiry or who has vacated his post is disqualified for appointment to the public service.

40. A person convicted by a court of law for a criminal offence committed against the Democratic Socialist Republic of Sri Lanka is disqualified to be appointed to the public service.

41. Any 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 is disqualified for appointment to the public service.

42. Any person who had been declared as bankrupt is disqualified to be appointed to the Public Service.

43. A person who is not a citizen of Sri Lanka or who does not have citizenship rights is disqualified for appointment to the public service.

CHAPTER VI

Terms and Conditions Governing Appointments

44. All Public Officers shall hold posts on public trust. Every person who is appointed to a post in the public service shall diligently discharge the duties of the post to which he is appointed for the benefit of the country and its people.

45. Every Public Officer shall discharge his duties, responsibilities and obligations in accordance with Government policy, procedural rules enacted from time to time and orders made by the Public Service Commission. Further, he shall be subject to the Establishments Code, Financial Regulations, other Government Regulations, Circulars, Instructions and Amendments made thereto from time to time.

46. Every person who is appointed to a permanent and pensionable post in the public service shall contribute to the Widows' & Orphans' Pension Scheme or to the Widowers' & Orphans' Pension Scheme as the case may be. The amount of contribution shall be as declared by the government from time to time.

47. A person holding a permanent but non-pensionable post shall contribute to the Public Service Provident Fund. The amount of contribution shall be as declared by the government from time to time.

48. A Public Officer shall furnish a security deposit as per the Public Officers' Security Ordinance, in such sum as decided upon by the Head of Department.

49. A Public Officer is bound to serve in any part of the country.

50. 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 the country. This medical examination shall be held in a government hospital in such manner as decided upon by the Director General of Health Services.

51. Every person appointed to a post in the public service, shall make and subscribe or take and subscribe the affirmation or the oath in terms of Schedules 4 & 7 of the Constitution.

52. Every Public Officer shall acquire proficiency in Sinhala, Tamil and English in such manner as stipulated by government policy.

53. A Public Officer on monthly salary who wishes to resign 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 may pay a sum equivalent to a month's salary to the government in view of one month calendar notice and resign his post. However, a resignation of a public officer will come into effect only after the written intimation of the acceptance of the resignation by the Appointing Authority.

54. The Appointing Authority may terminate the appointment of a casual officer and substitute without notice.

55. When the Appointing Authority intends to terminate, in accordance with the conditions given in the letter of appointment, the appointment of a monthly paid officer who is not confirmed in the service, he must be given a month's notice.

56. Where it is duly establish at any time whatever after the assumption of duties that an officer has been appointed to a post in the public service on false and erroneous information or documents submitted by that officer to the Appointing Authority or any other relevant authority such appointment shall forthwith be treated as null and void and the appointment revoked, subject to such officer is given due notice of the allegation and an opportunity to explain.

CHAPTER VII

Procedure relating to Appointments

Appointments made by the Public Service Commission

57. In the case of appointments made by the Public Service Commission to such posts as Additional Secretary, Senior Assistant Secretary to a Ministry, Director General and Commissioner General who are not Heads of Department, Additional Director General, Additional Commissioner General, Divisional Secretary, Deputy Director General, Deputy Commissioner General and comparable posts the following procedure shall be adopted.

58. Where a vacancy occurs in terms of Section 57 in such a post or where such a post is created anew, the Secretary to the respective Ministry shall make a written request to the Commission that a suitable officer be appointed to the post in accordance with the relevant Service Minute or Scheme of Recruitment. Such request shall accompany a brief report on the nature of duties of the particular post.

59. On receipt of a request in terms of Section 58 above the Commission shall take action to appoint a suitable officer for the post in accordance with the Service Minute or Scheme of Recruitment and in accordance with the procedure laid down by the Commission.

60. The following procedure shall be adopted in the case of posts falling outside those mentioned in Section 57 above, but to which appointment is made by the Commission.

61. Where a vacancy occurs in terms of Section 60 above or where new post is created such fact shall be reported by the Head of Department to the relevant Administrative Authority of the respective service or post. He should also inform whether he recommends immediate appointment of a Public Officer for the post or not. In case he does not recommend appointment of an officer for the post, the Head of Department shall give reasons in detail for such decision.

62. Where the Head of Department recommends the filling of the vacant post he shall forward to the Administrative Authority a certified copy of Service Minute or Scheme of Recruitment in force, a draft advertisement calling for applications prepared in accordance with the approved Service Minute or Scheme of Recruitment, where the selection is to be based on an structured interview its marking scheme, and the persons recommended for inclusion in the interview board in terms of Section 69 & 70.

63. The Administrative Authority of the respective service or post shall forward to the Commission without delay the documents mentioned in Section 62 above for approval together with his recommendations. On receipt of the approval from the Commission, the Administrative Authority shall make arrangements to call for applications as per the approved advertisement internally or externally, as the case may be, by advertisement in the government *Gazette* and/or national newspapers.

64. The Administrative Authority shall take action to duly hold the competitive examinations and/or interviews as the case may be in accordance with service minute or scheme of recruitment, marking scheme and forward to the Commission the list of applicants prepared in order of merit together with examination results, interview Schedules, the number of posts for which appointment should be made and the recommendation of the Board of Interview.

65. On receipts of document in terms of Section 64, the Commission having satisfied itself that examinations and/or interviews have been held in accordance with the Service Minute or the scheme of recruitment, where relevant in accordance with the approved marking scheme and having considered the recommendations of the interview board, if there are any, shall select a person on the order of merit of marks obtained at the examination and/or interview. The Administrative Authority shall be informed of the selections and a formal letter of appointment shall be issued by the Commission as per Appendix 01 or 02 with changes where necessary.

Appointments made by Authorities with Delegated Power

66. The Authority with Delegated Power shall take timely action, taking into consideration existing needs, to fill vacancies in the approved cadre as provided for by the approved Service Minute or Scheme of Recruitment.

67. The Authority with Delegated Power shall make arrangements for the holding of examinations, trade tests and/or interviews as stated in the respective Service Minute or Scheme of Recruitment.

68. The Authority with Delegated Power shall ensure that appointments are made only on the order of merit of marks obtained at written examinations, trade tests and interviews held in accordance with the Service Minute or the Scheme of Recruitment. The letters of appointment shall be issued by the Authority with Delegated Power as per Appendix 1 & 2 with changes where necessary.

General Conditions relating to Appointments

69. The Appointing Authority shall appoint Boards of Interview in accordance with the Service Minute or the Scheme of Recruitment.

70. Where the service minute or scheme of recruitment has not stipulated the composition of the board of interview, a board of interview shall have at least three members including the Chairperson who shall be a Public Officer. The maximum number of members in a board of interview shall be limited to five. Unless otherwise provided for in the service minute or the scheme of recruitment, at least one member of the board of interview shall be from a Ministry or Department which is outside the Ministry or Department where the vacancy occurs. Similarly at least one female officer shall be appointed to a board of interview whenever possible.

71. Unless otherwise provided for in the Service Minute or Scheme of Recruitment the number of applicants to be called for the interview where applicable shall be determined by the Appointing Authority based on the order of merit of the marks obtained by them at the written examination and/or the trade test, as the case may be, and the number of vacancies.

72. Where marks are allocated at the interview the Marking Scheme shall be included in the advertisement calling for applications to fill the vacancies.

73. Where selections are made only through an interview, or an interview and a trade test such interview shall be structured and the Marking Schemes of the interview and the trade test shall be included in the advertisement calling for applications for the post.

74. A board of interview shall be provided with the following documents to carry out its functions:

- (i) Service Minute or the Scheme of Recruitment.
- (ii) Advertisement calling for applications.
- (iii) Schedule of Interview with Summary of Qualifications.
- (iv) Number called for the interview.
- (v) If it is a structured interview, the Marking Scheme approved by the Appointing Authority.

75. Every applicant shall be interviewed by a plenary session of the board of interview. No person who is not a member of the board of interview shall be allowed to participate in its sessions. In recording marks at the interview, a carbon pen or a pen with indelible ink shall be used and not pencils. Every member of the interview board shall be present at all times during the interview.

76. Immediately after the interview is over, the board of interview shall prepare a merit list in order of the marks obtained by the applicants; include it in the schedules of interview, and certified. Members of the board of interview shall sign each page of such schedules.

77. Where an interview has to be held to allocate marks after a written examination and/or a trade test, marks obtained by the applicants at the written examination and/or the trade test shall not be made available to the board of interview. The results of a written examination and/or the trade test shall not be publicised for whatever reason until the Appointing Authority takes a final decision regarding the appointments. Its confidentiality shall be preserved to the utmost.

78. Where the interview is not structured it should be held only for the purpose of verifying the certificates of the applicants for confirmation of their qualifications.

79. The Authority with Delegated Power or the Administrative Authority as the case may be shall take action to draw the attention of the members of the respective boards of interview to these rules before an interview or trade test is held.

80. Where appointments are made on 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 interview, the written test or the professional test, as the case may be, but shall forthwith report the matter to the Commission and seek instructions.

81. Where recruitment is done only on the results of a competitive examination, appointment shall strictly be made in order of merit of the marks obtained by the applicants at the competitive examination.

82. Where appointments are to be made on the results of written test, interview and trade test the Appointing Authority shall aggregate the marks obtained by each of the applicants at the written test, the interview and the trade test and make appointments in order of merit.

Procedure to be followed after Appointment

83. A person who had received a letter of appointment issued by the Appointing Authority appointing him to a particular post in the public service shall forthwith inform the Appointing Authority in writing as per Appendix 03 whether or not he accepts the post subject to the conditions mentioned in the letter of appointment.

84. It shall be the responsibility of the appointing authority or Administrative Authority or Head of the Department or Head of the Institution to ascertain the identity of the person who accepts the appointment in accordance with the letter of appointment.

85. The appointee within one month of his appointment shall make the affirmation or take the oath on the form set out in Schedules 04 and 07 of the Constitution of the Democratic Socialist Republic of Sri Lanka before, as the case may be, the Appointing Authority or Administrative Authority or Head of Department or Head of Institution. It shall be the responsibility of such authorities to make arrangements for the appointee to make the affirmation or take the oath. The appointment of a person, who fails to make affirmation or take oaths, during the stipulated period, shall cease at the expiry of such period, provided that the delay is attributable to the appointee.

86. The appointee on the first day itself of assuming duties shall hand over a letter as per Appendix 04 confirming that he reported for service to, as the case may be, the Appointing Authority or the Administrative Authority or the Head of Department or Head of Institution.

87. The appointee on assuming duties shall hand over the following documents to, as the case may be, the Appointing Authority or Administrative Authority or Head of Department or Head of Institution:

- (i) Certified copy of the national identity card.
- (ii) Birth Certificate.
- (iii) Originals and a set of photo copies confirming basic educational qualifications, any other academic and professional qualifications.

After verifying the photo copies with the originals the relevant authority shall certify and sign that the photo copies are those of the originals and the officer shall certify and sign that those photo copies are copies of genuine certificates. The photo copies shall then be retained by the authority and the originals returned to the officer.

- (iv) Marriage Certificate, if married, Birth Certificate of spouse, copies of Birth Certificates of children, if any.
- (v) Service Agreement on Form General 160
- (vi) Declaration of Assets on Form General 261
- (vii) Declaration of Assets & Liabilities, as is relevant.
- (viii) Address, telephone number and e-mail address of permanent and temporary residence.

88. After an appointee reports for duty, the Appointing Authority or Administrative Authority or Head of Department or Head of Institution, as the case may be, shall take action to open up a personal file for the officer containing the documents referred to at Section 87 above and the documents referred to below in this Section and maintain it up to date.

- (i) Copy of the Letter of Appointment.
- (ii) History Sheet.
- (iii) Copy of declaration under the Widows' & Orphans' Pension Scheme or the Widowers' & Orphans' Pension Scheme or the copy of declaration under the Public Service Provident Fund.
- (iv) Certified copy of the certificate of furnishing security, if required on the nature of the appointment.
- (v) Medical Report on Form Health 169.

89. Once the officer has reported for duty the Appointing Authority or Administrative Authority or Head of Department or Head of Institution shall attach the officer to a unit or branch in his office, or another office or station under him. Similarly, the Head of the particular office shall without delay hand over the duty list to the officer.

90. Once an officer has reported for service the Appointing Authority shall inform the Auditor General that the officer has assumed duties.

91. 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 to take prompt action to publish such appointment in the government *Gazette*.

92. Once an officer has been assigned duties, the Appointing Authority or Administrative Authority or Head of Department or Head of Institution shall provide him with training before a year of 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 mentioned therein. It shall also be the responsibility of the officer to duly participate in such training programmes.

93. The Medical Report to be furnished by a new entrant to the public service shall be obtained from a District Medical Officer of a government hospital and shall be forwarded to the Appointing Authority within 03 months of the appointment.

94. Where an officer had been declared physically or mentally unfit for public service after a medical examination, the Appointing Authority shall take action to terminate the appointment of such officer as soon as the report indicating such fact is received from the Director General of Health Services. The Authority with delegated power shall inform such fact to the Commission with a certified copy of the relevant Medical Report.

Concessions to ex-Servicemen

95. Ex-servicemen of the Army, Navy and Air Force, who are not over 50 years of age, seeking appointment in the public service shall be given 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 he has obtained the next lower educational level of the minimum educational qualifications prescribed in the Scheme of Recruitment for the post, other than a post for which a degree from a recognised university has been prescribed as educational qualifications, he shall be treated as having the prescribed educational qualifications.

(iii) **Technical and Professional qualifications**

An ex-serviceman who has gained skills and experience working in relevant technical units of armed services shall be treated as having the required technical and professional qualifications.

CHAPTER VIII

Period of Probation, Period of Acting and Confirmation of Appointment

96. The Appointing Authority shall subject every public officer appointed to a permanent post in the public service to a probation period of three years.

97. 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 an acting period of one year.

98. An officer appointed subject to a period of probation or acting shall prove his suitability for public service by diligently fulfilling during such period the obligations and responsibilities imposed on him by his letter of appointment, good conduct and efficient service.

99. 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. 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 acknowledgement shall be conclusive proof of the fact that the officer was warned of his failings and given an opportunity for improvement.

100. 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, behavioural pattern 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 in detail in the relevant file and all factors that support his decision are kept secured. The letter of termination shall be as per Appendix 6 with changes where necessary.

101. The Head of the Department shall prepare at the end of first and second year of probation a review report as per Appendix 05. On receipt of each of the report it should be carefully considered and where necessary he should be warned of any short comings. The final review report together with first and second year report should be submitted to the Appointing Authority at least 3 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.

102. Where an inquiry into an irregularity committed by an officer on probation cannot be completed before the expiry of the period of probation, his probationary appointment should be terminated or the period of probation extended taking into consideration the circumstances of the case.

103. If the Appointing Authority decides that the officer be given some time to improve his shortcomings his period of probation may be extended by one year at a time subject to a maximum period of three years and defer the officer's increment.

104. At the end of each extended period of probation the Head of the Department shall prepare a review report as per Appendix 05. 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 Section 101 and 103 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.

105. Where an officer confirmed in a permanent post in the public service is appointed to another permanent post in the public service subject to an acting period of one year, the Head of Department shall prepare a review report as per Appendix 05.

106. 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 Department, and the Appointing Authority shall defer the officer's increment and extend his period of acting by one year at a time subject to a maximum period of three years.

107. Where at the end of the each extended period the officer shows no progress in accordance with the review reports prepared by the Head of Department as per Appendix 05, it shall be the responsibility of the Appointing Authority to extend or terminate the appointment of the officer subject to section 106 and in the event of termination revert him to his former post, in the event such post is no longer vacant appoint on supernumerary basis. 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. Letter of termination shall be as per Appendix 7.

108. The Appointing Authority shall ensure that an officer on probation or acting, as the case may be, is confirmed on completion of the period of probation or acting or his period of probation or acting is extended or his appointment is terminated. 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.

109. Where all requirements have been fulfilled on the due date, the confirmation of an officer in a permanent post will become effective only after the Appointing Authority issues a formal letter conveying such fact. 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.

110. Where an officer had been 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 probation by a reasonable period of time. It shall be the duty of the officer to obtain the required qualifications for confirmation in his appointment during the extended length of time. In such an instance, the officer shall be confirmed in his appointment in such 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 probation owing to his negligence or inattention.

111. Where an officer fails to qualify for confirmation at the proper time, that is within the initial period of probation or acting period, 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, he shall be confirmed in his appointment with effect from the date of his appointment and seniority in his grade or service will be determined by the date on which he qualified for confirmation.

112. The confirmation of an officer on probation or acting in a permanent appointment shall become effective from the date of his appointment to the post. However, he shall have no claim whatsoever for salary increments deferred owing to his deficiencies.

CHAPTER IX

Appointment to act in a post or attend to the duties of a post

113. A Public Officer may be appointed to act in a particular post only under the following circumstances:—

- (i) To bear the responsibilities and perform the work of a particular post in an approved cadre of a department or institution the substantive holder of which is away from work for a particular length of time with due approval or;
- (ii) To bear the responsibilities and perform the work of a particular vacant post in an approved cadre of a department or institution until such time the Appointing Authority makes a permanent appointment to fill the vacancy.

114. The authority for making an acting appointment lies solely with the Appointing Authority.

115. Only a Public Officer who is confirmed in his substantive post 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.

116. An acting appointment is made for the performance of, as the case may be, the work of a post on full-time basis or in addition to the work of a post the relevant Public Officer already holds.

117. A Public Officer holding an acting appointment shall have no claim for the salary scale of the post on a permanent basis by virtue of the fact that he did act in the post.

118. Where no Public Officer qualified for appointment in terms of Section 115 above to act in a vacant post in an approved cadre is available the most suitable officer may be appointed by the Appointing Authority to attend to the duties of the post.

119. Any allowance and privilege attached to a particular post may be enjoyed by the Public 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.

120. A Public Officer can be appointed to act in a particular post or attend to the duties of a particular post only if that post is either a Superior post or Comparable Post to the post presently held by the Public Officer.

121. Where selection is made for appointment to a post no Public Officer shall be afforded special entitlement, special advantage under Service Minute/Scheme of Recruitment or additional marks solely on the basis of his having acted or attended duties in that particular post.

CHAPTER X

Efficiency Bar

122. A Public Officer shall fulfil the requirements of the Efficiency Bar for confirmation of the appointment or promotion to a higher post or grade in the respective service or to pass over a specific salary step.

123. Efficiency Bar shall be conducted within appropriate time limits, as prescribed by the designated authority in the Service Minute or Scheme of Recruitment. In the event that the Service Minute or Scheme of Recruitment does not specify the authority who should conduct the Efficiency Bar, then the said Efficiency Bar shall be conducted by the Appointing Authority or officer designated by the Appointing Authority.

124. Where a Public Officer has acquired the necessary qualifications to pass over the Efficiency Bar, the Appointing Authority shall issue to the Public Officer without delay a letter as per Appendix 08 that he has passed the Efficiency Bar. Further, a photo copy of that letter shall be attached to the relevant form required for the approval of the next salary increment of the Public Officer by the appropriate authority.

125. Where a Public Officer fails to pass an Efficiency Bar on the due date, the Administrative Authority or the Appointing Authority, as the case may be, shall defer the increment of the Public Officer with effect from that date and formally inform the officer of such fact.

126. The Appointing Authority may allow a Public Officer who has failed to pass the Efficiency Bar on the due date one year extension at a time subject to a maximum period of three years to qualify himself. However, it shall not affect the decision taken to defer the salary increment of the Public Officer.

127. Where a Public Officer whose salary increment has been deferred in terms of Section 125 above fails to qualify himself to pass the Efficiency Bar within a period of three years from the date of deferment of his salary increment, his service shall stand terminated on grounds of inefficiency with effect from the last day of the said three-year period.

Provided, however, that if the officer has been confirmed in his service and the officer has acquired pensionable status by that time he shall be retired on grounds of inefficiency with effect from the said date. In such a situation the officer shall draw his pension when he reaches the optional age of retirement and in accordance with the minute on pension.

128. Where the service of a Public Officer stands terminated in terms of Section 127, the Appointing Authority shall issue a letter as per appendix 09.

CHAPTER XI

Seniority

129. The seniority of Public Officers holding posts of equal status in a class or grade of a particular service or in a government department or institution shall be determined based on the dates on which those officers assumed duties in the respective posts.

130. 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 the written and trade tests and interviews 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.

131. Where the period of probation or acting of a Public Officer has been extended owing to unsatisfactory work, conduct and attendance, his seniority in class/grade shall be readjusted by subtracting a period of time equal to the period of time extended.

132. Where a Public Officer has failed to pass the Efficiency Bar examination on the due date despite the fact that circumstances were within his control, his seniority shall be readjusted by subtracting the additional period of time taken by the officer to pass the Efficiency Bar.

133. Where a specific disciplinary order to reduce the seniority or any other disciplinary order that will affect seniority of the Public Officer has been made by the Disciplinary Authority the seniority of the officer shall be readjusted in terms of the respective disciplinary order.

134. Where a Public Officer has been temporarily released from the public service on his request for a post in a university or a government corporation or a government project or a company owned by the government or of which the government holds shares, or in some other institution as agreed upon by the Commission, such period shall not be considered as part of his period of service for the purpose of deciding his seniority.

135. Where a Public Officer has availed no-pay leave on his request for a job outside the public service such period shall not be considered as part of his period of service for the purpose of deciding his seniority.

136. Where a Public Officer appointed to another post reverts or reverted to his former post, during the acting period, for reasons other than disciplinary, his period of service in that post shall be treated as part of the service in deciding his seniority in his former post.

137. The manner in which the seniority of Public Officers absorbed from one service to another is to be determined shall be stated lucidly and clearly in the decision taken for their absorption.

138. The manner in which the seniority of relevant Public Officers is to be determined when two or more services are amalgamated shall be stated lucidly and clearly in the decision taken for such amalgamation.

139. The manner in which the seniority of the relevant Public Officers is to be determined when posts of equal status in the same institution or various institutions are amalgamated shall be stated lucidly and clearly in the decision taken for such amalgamation.

140. Where the Supreme Court has made an order, relating to the seniority of a Public Officer his seniority shall be determined in accordance with that order.

141. Where a Public Officer on whom a vacation of post notice has been issued by the respective authority deeming him to have vacated his post is reinstated after considering his explanation or an appeal submitted by him, his seniority shall be determined in terms of the conditions stated in the decision for reinstatement.

CHAPTER XII

Release of a Public Officer temporarily or permanently from the Public Service

142. The instances a Public Officer who is confirmed in his post may be released by the Appointing Authority on the request of the officer or on the need of the Government with the consent of the officer, shall be as follows:-

- (i) To the Provincial Public Service
- (ii) To a post in the Presidential Secretariat
- (iii) To a post in the staff of the Parliament of Sri Lanka
- (iv) For a service in a Volunteer Force
- (v) For service in a Presidential Commission appointed by the President under the Commission of Inquiry Act
- (vi) To a post in a University in Sri Lanka recognized by the University Grant Commission
- (vii) To a post in a Public Corporation
- (viii) To a post in a Government Project

- (ix) To a post in a company owned by the Government
- (x) To a post in a company of which the Government holds more than 50% of shares and controlling interest
- (xi) For work in a trade union in the public sector with the approved number of members
- (xii) For work in a welfare union in the public sector with the approved number of members

143. Where the Public Officer requests for release at his own instance he shall apply to the Appointing Authority as per Appendix 10 and if the release is done on the needs of the government, the Secretary to the Ministry to which the officer is proposed to be released shall make the application as per Appendix 11 along with a letter of consent from the officer. The Secretary, Ministry of Public Administration shall be the relevant Secretary for the purpose of Section 142 XI & XII.

144. The Appointing Authority shall have the power to reject a request made in terms of Section 143 in any one of the following instances:

- (i) Where the Public Officer is not confirmed in his post; or
- (ii) Where the Public Officer has not passed the required Departmental examinations or efficiency bars on the due date, or
- (iii) Where the officer is over 57 years of age, or
- (iv) Where disciplinary action against the officer is in progress or is contemplated against him, or
- (v) Where there is legal proceedings against the officer relating to any matter connected with the Government, or
- (vi) Where the officer has been provided with special training to facilitate the performance of the functions of the post he holds, or
- (vii) Where there is a legal agreement binding him for service to the Government for a pending period, or
- (viii) Where the release of the officer will adversely affect the performance of duties in the Department or institution in which the officer now working, or
- (ix) 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, or
- (x) Where there is an outstanding amount of money due to the Government from the officer other than the unsettled loans, or
- (xi) Where he has not absolved the Government of all responsibilities regarding any relief for privilege granted to him by a third party under the Government securities when he was working as a Public Officer, or
- (xii) Where he has entered into a surety agreement or any such similar bond with the Government and where a new surety has not entered into a surety agreement with the Government, or
- (xiii) Where the consent of the Secretary to the Ministry to which the officer is attached has not been received.

145. The provisions in Section 144 shall be subject to the following exceptions:

- (i) Notwithstanding the provision in Sub Section VI above, if a Public Officer who has received specialised training is requested to be released for a post where his specialised training could be more productively utilized, such training shall not be an impediment for his release.
- (ii) Notwithstanding Sub Section IX above if the Provincial Council to which the Public 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.

146. The period for which the Appointing Authority may release a Public Officer shall be as follows:

- (i) Permanent basis or for a definite period on temporary basis to a post in a volunteer force or a post in the staff of the Parliament of Sri Lanka or a post in the Presidential Secretariat;
- (ii) An officer in a service recognised by the Commission as an island-wide service to Provincial Public Service on temporary basis for a period as agreed to by the two parties.
- (iii) An officer not belonging to an all Island service, on permanent basis to Provincial Public Service.

- (iv) For a period requested by a Commission appointed by the President under the Commissions of Inquiry Act.
- (v) Permanent basis or for a period of 02 years on temporary basis to a University or Public Corporation; or government project or a company owned by the government or a company of which government holds more than 50% shares and controlling interest.
- (vi) For service in a trade union or in a welfare union in the public sector with an approved number of members for a period of 02 years or for the period he holds the post in the respective union, whichever is less.

147. Where it is found necessary to extend the temporary period of release in any of the instances mentioned in Section 146 above, the Appointing Authority shall forward such request to the Commission for approval at least 03 months before the end of the period together with the letter of consent of the officer, written request of the respective Head of Institution and the recommendation of the Appointing Authority. Where the Commission is the Appointing Authority such recommendation shall be given by the Secretary to the Ministry and Head of the Department relating to the substantive post of the officer. However in any of the instances mentioned in Section 146 above, the period that a Public Officer could be temporarily released from the public service during his entire career shall be subject to a maximum of 05 years.

148. Where a Public Officer has been temporarily released from the public service on the need of the government he shall be entitled to the benefits as declared under Section 10(1) of the Minutes on Pension. However, he shall be deemed to have been on no-pay leave during the period.

149. Where a Public Officer is temporarily released from the public service to a post outside the public service on a request made by him, he shall be granted no-pay leave and he shall not be entitled to the benefits declared under Section 10(1) of the Minutes on Pension.

150. In order to enable action to be taken to protect the pension rights of the Public Officer who has been released to a post outside the public service the Appointing Authority shall send copies of letters releasing him from the public service and reversion to his substantive post to the Secretary to the Ministry in charge of the subject of Public Administration and to the Director General of Pensions at the time of release and at the time of his reversion.

151. Where a Public Officer has been released to a Public Corporation or a University or a company owned by the government or a company of which government holds more than 50% of shares and controlling interest or a special government project, it shall be the responsibility of the respective institution to remit to the Director General of Pensions 25% of the consolidated salary of the officer as contribution to the pension, and contributions to, as the case may be, the Widows' & Orphans' Pension Fund or the Widowers' & Orphans' Pension Fund, and it shall be the responsibility of the Appointing Authority and the respective officer to ensure its compliance .

152. On receipt of the written approval to release a Public Officer to a post outside the Government Service it shall be the responsibility of the Public Officer to duly hand over government documents, computer passwords, any government property, keys and official identity card etc. in his charge, to another Public Officer designated by the Head of the Department or Head of the Institution. Similarly it shall be the responsibility of the Head of the Department or the Head of the Institution to make necessary arrangements to take over the said items and to release the Public Officer when the items are duly handed over.

153. The release of a Public 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 Public Officer to the substantive service or post.

- (i) When the period of release ends;
- (ii) The institution to which the officer was released does not need his services any further;
- (iii) The Public Officer is unwilling to serve in the respective institution any further;
- (iv) The closure of the institution to which the Public Officer was released;

- (v) A decision has been taken by the Disciplinary Authority to initiate disciplinary action against the Public Officer.

CHAPTER XIII

Re-employment of a person retired from the Public Service

154. The power to re-employ a person who has retired from the public service vests exclusively with the Public Service Commission.

155. The following persons are not eligible for re-employment in the public service :-

- (i) A person compulsorily retired as an alternative to dismissal;
- (ii) A person retired on disciplinary grounds;
- (iii) A person retired for general inefficiency;
- (iv) A person retired as a result of refusal of extension of service;
- (v) A person retired on his consent to retire on a government policy decision.
- (vi) A person found guilty of any offence set out in Schedule 1 of the Procedural Rules of the Commission or Volume II of the Establishments Code immediately preceding three years from the date of retirement.
- (vii) A person retired under Section 12 of the Minutes on Pension ; and
- (viii) A Person against whom disciplinary proceedings are pending.

156. A person who has retired from public service before reaching compulsory age of retirement will not be re-employed in a post in the public service except under exceptional circumstances. If such a person is re-employed it shall be done on the basis of freezing his pension until he reaches the date of compulsory retirement.

157. A person who has retired from the public service may be re-employed only on contract basis. Such an appointment shall be limited to a maximum period of one year at a time. The letter of appointment shall be prepared as per the specimen in appendix 02.

158. A person who has retired from the public service on medical grounds could be re-employed only upon all the following conditions being satisfied.

- (i) He had not passed the optional age of retirement by the time he is re-employed;
- (ii) A duly constituted Government Medical Board has certified that he is physically and mentally fit to perform satisfactorily the duties of the respective post;
- (iii) At least one year has elapsed since the date of retirement.
- (iv) He had not been found guilty of any offence set out in Schedule I of the Procedural Rules of the Commission or Vol. II of the Establishments Code immediately preceding 3 years from the date of retirement.

159. Where a person who had been retired on medical grounds is re-employed his pension shall be freezed 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.

CHAPTER XIV

Termination of Employment and Resignation from Public Service

160. The Appointing Authority is vested with the power to terminate a Substitute Employee or a casual employee without giving prior notice or reasons. However, he shall record in detail in the respective file the reasons for such a decision.

161. The Appointing Authority may terminate the services of a Public Officer on probation in accordance with the provisions in Chapter VIII.

162. Where a letter of resignation is received from a Public Officer in terms of Section 53 of Chapter VI by a Head of the Department he shall forthwith get the following matters clarified.

- (i) That there are no disciplinary proceedings pending against the officer nor is there a prima facie case indicating immediate initiation of such proceedings;
- (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 working as a public servant;
- (v) That the officer has duly returned all government property in his charge;
- (vi) That there are no judicial proceedings pending against the officer regarding any matter connected 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.

163. Where it appears to the Head of Department that the resignation of the Public Officer cannot be accepted due to any of the reasons mentioned in Section 162 above, a full report together with certified copies of supporting documents shall be sent forthwith by the Head of Department to the Appointing Authority with the letter of resignation of the officer.

164. Where the Head of Department is satisfied that no impediment is caused by any matter mentioned in Section 162 above for the acceptance of the resignation, he shall inform the Public Officer in writing that if he resigns from his appointment he will forfeit all claims to a pension, gratuity and all the benefits arising from his service prior to resignation, should he afterwards succeed in obtaining re-employment under the government and that if the resignation is accepted any application to withdraw it later will not be considered. Such letter shall be handed over to the officer personally, wherever possible, and if it is not possible to do so, it shall be sent by registered post.

165. Where the Public Officer has not withdrawn his letter of resignation within 7 days of the handing over or the dispatch under registered post the letter referred to in section 164 above to the Public Officer the Head of Department shall forward without delay his report and recommendations together with the letter of resignation of the Public Officer with certified copies of the letter sent to the officer, to the Appointing Authority.

166. Where after consideration of the report and recommendation of the Head of Department, the Appointing Authority is satisfied that the resignation could be accepted he shall inform the Public Officer directly under registered post with copy to the Head of Department that the resignation has been accepted and also the effective date of the resignation.

167. Where the Appointing Authority decides that the resignation cannot be accepted, he shall communicate such fact to the officer directly under registered post with copy to the Head of Department together with reasons that led to such a decision.

168. Under no circumstances can a Public Officer resign with retrospective effect.

169. Where the officer fails to report for duty before the decision of the Appointing Authority is received by him the officer shall be deemed to have vacated his post on his own accord and further action shall be taken in terms of Chapter XV.

CHAPTER XV

Vacation of Post

170. Every Public Officer shall report for duty on each working day unless his leave has been formally approved.

171. Where at any time a Public Officer finds it difficult to report for duty, it is his responsibility to inform his Head of Institution of such absence and get his leave duly approved so that the latter may take alternative measures to get the respective work done. However, if 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 Institution of his absence within 24 hours of the time of commencement of his duty on that particular day.

172. A Public Officer who absents himself from duty without informing his Head of Institution as mentioned in Section 171 above shall be deemed to have vacated his post on his own accord. It shall be the duty of his Appointing Authority or Head of Department or Head or Provincial / District / Divisional Head of Department or Head of Institution to inform the officer forthwith as per Appendix 12 by registered post. If the vacation of post notice is issued by an authority other than the Appointing Authority, he shall send copies of the notice to the Appointing Authority and to other relevant authorities.

173. No explanation shall be called from or charges framed against a Public Officer who is deemed to have vacated his post on his own accord in terms of Section 172 except in the circumstances set out in Section 174.

174. Where the person who vacated post volunteers an explanation in writing to the officer who was the Disciplinary Authority during his time in the public service within three months of the date the vacation of post notice the Disciplinary Authority shall consider his explanation in terms of the respective disciplinary rules. Having considered his explanation, the Disciplinary Authority may reinstate him with or without punishment or refuse such reinstatement. The Disciplinary Authority shall record the reasons for his decision in the respective file clearly and accurately in detail. Further, he shall formally communicate his decision to the said person.

CHAPTER XVI

Extension of Service and Retirement

175. 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 Cabinet of Ministers.

176. An officer who does not come within the special categories of employees mentioned in Section 14 of the Minutes on Pensions and who has completed 20 years service in the public service may retire at his own discretion. But, he shall be entitled to the pension only from the date he completes 55 years of age.

177. Subject to provision of the Public and Judicial Officers (Retirement) Ordinance, the optional age of retirement of an officer shall be 55 years and the compulsory age of retirement shall be 60 years.

178. An officer may be in service till 57 years of age without annual extensions of service. However, if a public officer intends to retire from the public service on completion of 55 years of age or thereafter, or on reaching the compulsory age of retirement he shall forward such request for retirement formally in writing to the Appointing Authority at least six months before the date he intends to retire. Provided however

- (i) Where disciplinary proceedings are pending against the officer or such disciplinary proceedings are contemplated the retirement of the officer shall be made subject to Section 12 of the Minutes on Pensions. It shall be the duty of the Head of the Department and/or Head of Institution to bring such matters to the notice of the Appointing Authority when request for retirement of public officers are made.

- (ii) Where the officer commits a misconduct warranting a disciplinary action against him after his retirement has been approved by the appointing authority, the order for 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 misconduct 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 the order on the officer concerned.
- (iii) Where the Appointing Authority has granted a normal retirement to a public officer on the basis that no disciplinary proceedings are pending or contemplated and if such 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 that of 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.

179. The Appointing Authority has the power to extend the services of a public officer whose work, conduct and attendance have been satisfactory during the previous three years and who is physically and mentally fit to further perform the duties of his post, beyond the age of 57 years up to 60 years subject to the following conditions:

- (i) An officer who intends to serve beyond 57 years of age shall forward his request for extension prepared as per specimen in Appendix 13 annually to the Appointing Authority through the Head of Department, the first request at least six months and subsequent requests three months before the date of the commencement of the extension.
- (ii) Where a formal request for extension of service beyond 57 years of age is received from a Public Officer by the Appointing Authority, he shall, if he intends to grant the extension, forthwith take action formally to convey such fact to the officer. Such extensions shall be granted only for one year at a time.
- (iii) Where a request for extension of service beyond 57 years of age by a Public Officer is rejected the Appointing Authority shall record the reasons for his decision in the respective file lucidly and accurately in detail and shall formally convey such reasons to the respective officer. It shall be the responsibility of the Appointing Authority to convey his decision to the officer without delay providing him sufficient time to make an appeal if he so desires, before the end of his service.

180. Notwithstanding sub-section 179 (III) above, if the date for the completion of the ten-year period necessary for an officer to be eligible to pension rights falls after the optional date of retirement and before he reaches 60 years of age, it would be appropriate for the Appointing Authority to grant the extension of service so that the officer may be eligible for pension rights. However, this Section shall not preclude the Appointing Authority to reject such an extension of service on the indiscipline of the officer or if a properly constituted Medical Board has certified that the officer is suffering from a physical or mental ailment that render him unable to duly perform the duties of his post or if granting an extension would seriously hamper the proper function of the institution or the successful performance of duties. Further, the Appointing Authority shall record his reasons for such a decision lucidly and accurately in detail in the respective file and keep all the factors supporting his decision secured.

181. In order to pay the pension without difficulty, delay or causing any hardship to an officer who had retired, the Administrative Authority or the Head of Department shall, at least nine months before the optional date of retirement, ensure that the personal file and history sheet of the officer is complete, accurate and updated and maintain it in such manner until the officer reaches his date of retirement.

182. In the case of an officer retiring from the public service, the respective Administrative Authority or Head of Department or Appointing Authority 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 relating to Promotions

183. In terms of Article 55(1) of the Constitution the power for promotion of Public Officers is vested in the Commission. The Commission may delegate such power, as the case may be, to a particular committee or a Public Officer, in terms of Article 56(1) and 57(1) of the Constitution.

184. 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 Appointing Authority to promote officers on due time as provided for in the Service Minutes or Schemes of Recruitment approved by the Commission.

185. Before making a promotion it shall be the responsibility of the Appointing Authority to satisfy himself that a vacancy in the approved cadre exists for the promotion of an officer except in the case of a promotion which has to be made where an officer has acquired the necessary qualifications.

186. A Public Officer must earn his promotion by a satisfactory service and fulfilment of all the required qualifications prescribed in the Service Minute or the Scheme of Recruitment.

- (i) Satisfactory service means a period of service, during which period an officer had earned all annual salary increments fell due by efficient and diligent discharge of duties, by passing over efficiency bars fell due, by qualifying for confirmation in service fell due and during which period he has not committed a punishable offence.
- (ii) Where an officer has not been granted his due annual salary increments for legitimate reason the period during which the increment had stand suspended, reduced, stopped or deferred and where an officer had committed a punishable offence falling under Schedule I of offences, a period of three years from the date of commitment of the offences and where an officer had committed a punishable offence falling under the Schedule II 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.

187. It shall be the duty of Appointing Authorities or Administrative Authorities to conduct the required examination, trade test, interview etc. on the due dates in order to provide Public Officers with an opportunity to acquire the qualification for promotion.

188. Notwithstanding the provision contain in Section 31 , in the case of the grade to grade promotion in service is made belatedly owing to some unavoidable circumstances and where it appears to the Appointing Authority that the Public Officer is in no way responsible for such delay and on perusal of eligibility it is proved that the officer has qualified himself for promotion in all respects, the Appointing Authority shall promote the officer with effect from the due date despite the fact that the officer may no longer in service or is retired or dead.

189. The process of promotion shall be conducted in a transparent manner so that it will generate confidence among the Public Officers that promotions are done solely as provided for in the Service Minute or the Scheme of Recruitment and not in any other manner or due to extraneous influences.

190. Where marks are to be allocated for examinations, tests and interviews for promotion held in accordance with the approved Service Minute or the Scheme of Recruitment such marking scheme shall be included in the advertisement calling for applications for promotions.

191. The provisions in Chapter VII on “General Conditions relating to Appointments” in these procedural rules shall apply, *mutatis mutandis*, with regard to promotions.

CHAPTER XVIII

Transfers

General Conditions Relating to Transfers

192. In terms of Article 55 of the Constitution the power of transfer of Public Officers in the public service is vested in the Commission. The Commission may delegate such power, as the case may be, to a particular committee or an officer, in terms of Article 56 and 57 of the Constitution.

193. Every Public Officer is subject to transfer.

194. A Public Officer can be transferred only by the Commission or by an Authority with Delegated Power.

195. A Public Officer is transferred to achieve, as the case may be, all or several or any one of the following objectives:

- (i) Fill a vacancy in an institution;
- (ii) Meet the administrative needs of an institution;
- (iii) Promote the efficiency and productivity of the institution;
- (iv) Meet the needs of a disciplinary process;
- (v) Implement a disciplinary order;
- (vi) Provide the officer with an opportunity to gain experience in a wider field;
- (vii) Provide the officer with an opportunity for professional development and improvement of his skills;
- (viii) Provide relief from personal difficulties experienced by the officer.

196. Transfers are fourfold as indicated below:

- (i) Transfers done annually;
- (ii) Transfers done on exigencies of service;
- (iii) Transfers done on disciplinary grounds;
- (iv) Mutual transfers on requests made by officers.

Annual Transfers

Annual Transfer Committees

197. The Authority with Delegated Power shall make all possible efforts to adhere to the time limits stipulated in the following Sections relating to Annual Transfers. Provided however, no order made under the Annual Transfer Scheme shall be invalid by reason only of any non observance of such limits which has not resulted in a failure of justice.

198. The Authority with Delegated Power shall before 01st June constitute annual transfer committees within departments and ministries to seek proposals on annual transfers. Annual transfer committees with regard to officers in the Combined Services shall be set up by the Director General of Combined Services;

199. The Authority with Delegated Power shall set up separate annual transfer committees for each service or category of officers in a department or ministry when the number of such officers in each service or category exceeds 25. However, an Authority with Delegated Power may under special circumstances and at its discretion appoint an annual transfer committee in a ministry or department even where the number of officers is less than 25.

200. The composition of an annual transfer committee of a ministry or department shall be as follows:

- (i) A deputy or in the absence of such a post the senior most assistant head of the relevant ministry or department ;

- (ii) Senior officer in charge of establishment matters of the relevant ministry or department;
- (iii) A representative nominated by each trade union representing the category of officers and service falling within the purview of the annual transfer committee, provided that such trade union has a minimum membership of 15% of the total number of officers.

201. The following instances shall not come within the scope of an annual transfer committee:—

- (i) Internal attachment in a government institution not involving change in station;
- (ii) Transfers on a disciplinary order or as required by a disciplinary process;
- (iii) Transfers on exigencies of service;
- (iv) Mutual transfers on requests made by officers.

Principles and Procedures on Annual Transfers

202. The Authority with Delegated Power shall before 15th of June in consultation with the annual transfer committee prepare the principles and procedures on annual transfers of his Ministry or Department taking into consideration the needs of such Ministry or Department, the conditions in the Service Minutes of respective services and the Schemes of Recruitment of respective posts. These principles and procedures shall be made known to all the relevant officers when calling applications for annual transfers.

203. When preparing the principles and procedures on annual transfers, the Authority with Delegated Power shall take the following matters into consideration:

- (i) The period a Public Officer has served in a workstation ;
- (ii) Geographical location of work stations and the consequent facilities or difficulties;
- (iii) Legitimate, supplementary financial and other benefits and privileges in work station ;
- (iv) Personal matters related to a officer and the members of his family on which some relief may be provided without prejudice to the needs of duty;
- (v) To prevent commission of irregularities by a public officer due to continuous service in the same work station or perform the same duty for a prolonged period;
- (vi) Providing an opportunity for a Public Officer to improve his knowledge and skills in a wider field;
- (vii) Need for the smooth functioning of the Ministry or Department.

Calling of Applications for Annual Transfers

204. The Authority with Delegated power may before 30th of June issue the notice calling for applications for annual transfers from the relevant Public Officers. He should in the notice state that applications for annual transfers should be submitted to him on or before 31st of July.

205. 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 10th of August.

Issuing the Notice on Proposed Annual Transfers

206. In making its recommendations the annual transfer committee shall take into consideration the principles and procedure on annual transfers prepared by the Authority with Delegated Power and the provisions in this Chapter.

207. An annual transfer committee may submit its recommendations in writing to the Authority with Delegated Power before the 31st of August. It shall be the duty of each annual transfer committee to record the reasons for its recommendations.

208. The Authority with Delegated Power may take action to issue the notice on the proposed annual transfers prior to 15th of September after the receipt of the recommendations of the annual transfer committee. The notice shall contain the

last date on or before which any representation should be made to the Authority with Delegated Power by any Public Officer who is aggrieved by the proposed transfer. Provided however, the maximum period for such representation shall not exceed 14 days inclusive of non working days.

209. A Public Officer who wishes to make representations regarding the proposed annual transfer relating to him should make such representations to the Authority with Delegated Power through Head of the Department or Head of the Institution as the case may be, to reach him on or before the date given in the said notice as per Appendix 14. The officer is permitted to submit a copy of his representations direct to the Authority with Delegated Power, if he so desires. It shall be the responsibility of the relevant Head of Department or the Head of Institution, as the case may be, to refer such written representations submitted to him by the officers concern to the Authority with Delegated Power to reach him on or before the prescribed date.

Annual Transfer Proposals Review Committee

210. The Authority with Delegated Power shall appoint an annual transfer proposals review committee before 15th of September to review the proposals of the annual transfer committee based on representations made in terms of Section 209. He shall take steps to appoint three senior Public Officers serving in his ministry or department as members of the said committee and to appoint the senior most Public Officer as the Chairman of the Committee.

211. 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 15th of October. It shall be the responsibility of the annual transfer proposals review committee to indicate in their report the reasons for its recommendations. In making its recommendation the annual transfer proposals review committee shall take into consideration the principles and procedures on annual transfers prepared by the Authority with Delegated Power and the provisions in this Chapter.

Issuing Annual Transfer Orders

212. 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.

213. All annual transfers may be made effective from 01st January. It shall be the responsibility of the Authority with Delegated Power to issue the annual transfer orders at least two months before the effective date of annual transfers, *i. e.* before 01st of November.

Implementation of Annual Transfer Orders

214. The Head of Department or Head of Institution shall release a Public Officer on transfer well in time from his present 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 to report for duty at his new station on the due date.

215. The Head of Institution shall take action to make temporary internal arrangements to cover the duties of a Public Officer on transfer without waiting for the arrival of his successor to release the officer. The Head of Institution shall ensure that he releases the officer on transfer well in time enabling him to report for duty on the due date without waiting for his successor.

216. The Head of Department or Head of Institution shall, when an officer in his staff receives an annual transfer order make arrangements to take charge of files, documents, other government properties, keys, computer passwords and official identity card etc. well in time from the custody of the officer on transfer. Likewise, it shall be the responsibility of the officer on transfer to make arrangements, in consultation with his superiors, to duly hand over such materials that are in his custody.

217. An officer who does not report for duty at his new station duly despite the fact that he had been released from his former station shall be deemed as having vacated his post on his own accord and it shall be the responsibility of the Head of the Department or the Head of institution, as the case may be, of his new station to take action in terms of Chapter XV.

Transfers on Exigencies of Service

218. A Public Officer may be transferred on exigencies of service by the Appointing Authority for any one of the following reasons:

- (i) Where the services of an officer is no longer needed at his present station;
- (ii) Where an officer is needed for service in another station or that particular 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.

219. Before a Public Officer is transferred on exigencies of service, the Authority with Delegated Power shall personally satisfy himself that need has actually arisen as specified in Section 218 above and that the transfer cannot be deferred till the next annual transfers.

220. Depending on the nature of the need for services that has arisen, the Appointing Authority may transfer an officer at short notice.

221. The Appointing Authority shall record in the relevant file clearly all the factors that caused the transfer of an officer on exigencies of service. The Appointing Authority shall convey the reasons to the officer concerned.

Transfers on Disciplinary Grounds

222. The Appointing Authority may transfer a Public Officer on disciplinary grounds, in the following instances, even without prior notice. The Appointing Authority shall convey the reasons in writing to the officer concerned:

- (i) Where a disciplinary order has been made with a transfer as punishment consequent upon a formal disciplinary inquiry held against the officer;
- (ii) Although the findings of a preliminary investigation do not warrant the interdiction of the Public Officer, but require that he should not be allowed to serve in his present station;
- (iii) Where it is found on matters revealed either before the beginning, or in the course of a investigation or on existing circumstances that the retention of a Public Officer in his post or station may obstruct the conduct of a preliminary investigation.

Mutual Transfers on Requests made by Public Officers

223. Subject to the following conditions the Appointing Authority may entertain and issue transfer orders, on requests made by two or more officers for mutual transfers:

- (i) The respective officers are in the same service and grade or similar posts;
- (ii) The respective Heads of Departments or Heads of institutions as the case may be, have given their consent for the request made by the respective officers;
- (iii) That none among the respective officers has been transferred to his present station on disciplinary grounds and has not completed the punishment period stipulated in the disciplinary order.
- (iv) That all respective officers have served in their present stations at least for a minimum period of 02 years.

Steps to be taken following the Implementation of Transfers

224. It shall be the responsibility of the former Head of the Department or Head of the Institution, as the case may be, to duly transmit the following documents regarding the officer to his new Head of Department or Head of Institution within two weeks of the transfer of a Public Officer.

- (i) Updated Personal File with the updated History Sheet;
- (ii) Recommendation in respect of the period, from the date of the officer's last increment up to the date of implementation of the transfer, regarding the payment of the officer's next increment;
- (iii) Performance Evaluation 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) Report containing details of all foreign travel of the officer during his service;
- (ix) Report containing the details of all study courses, workshops and various conferences attended by the officer;
- (x) Other important documents relating to the officer.

CHAPTER XIX

Preparation of Registers and Reports on Public Officers

225. Every Authority with Delegated Power, Head of Department and Head of Institution shall maintain, and regularly update the following documents as per Appendices mentioned below containing all the information on officers within their purview:

<i>Registers to be maintained</i>	<i>Appendix</i>
(i) Register of Appointments and Promotions	No. 15
(ii) Register of Dismissed Officers	No. 16
(iii) Register of Resigned Officers	No. 17
(iv) Register of Officers who had vacated their posts	No. 18
(v) Register of interdicted officers and those sent on compulsory leave	No. 19
(vi) Register of retired officers	No. 20

226. The Authority with Delegated Power, Head of Department or and Head of Institution shall forward half-yearly a statistical summary of data maintained in the registers described in Section 225 above to the Secretary to the Commission as per specimen in Appendix 21. Accordingly, the Secretary to the Commission must receive the data due by 30th of June each year before 20th of July and the data by 31st of December before 20th of January.

227. Each Head of a Government office shall maintain and regularly update a register relating to the entire staff employed in his office as per Appendix 22.

228. The Authority with Delegated Power, Head of the Department and Head of the Institution as the case may be, shall maintain separate seniority lists for each and every category of officers, which lists shall be, updated half yearly.

229. Every Public Officer holding a permanent post and subject to performance appraisal shall on the due date forward his performance appraisal form after filling the relevant sections to the Head of Department or Head of Institution for his appraisal. It shall be the duty of the Head of Department or Head of Institution after receiving the appraisal form to duly conduct the appraisal of the relevant officer.

CHAPTER XX

Procedure on Appeals against Promotions and Transfers

230. In terms of Article 58 (1) of the Constitution any Public Officer aggrieved by an order relating to a promotion or transfer made by an Authority with Delegated Power in respect of the officer so aggrieved may appeal to the Commission against such order.

231. A Public Officer making an appeal against an order relating to a transfer or promotion to the Commission shall do so only as per Appendix 23. He shall also submit certified copies of the documents in support of his representation along with the appeal.

232. A Public Officer shall submit an appeal to the Commission only through the Authority with Delegated Power with copies to Head of Institution, Head of Department and the Secretary to the respective Ministry. It shall be the duty of the Authority with Delegated Power to submit such appeals forthwith to the Commission with his observation. The officer, if he so desires, may submit an advance copy of the appeal direct to the Commission.

233. A Retired Public 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 a Authority with Delegated Power after his retirement shall submit such appeal direct to the Commission. However, he shall send the copy of the appeal to his former Head of Department or Head of Institution.

234. An appeal against an order relating to a promotion made by the Authority with Delegated Power shall be made by the relevant Public Officer within 30 days of making the decision in question and appeal against an order relating to a transfer made by the Authority with Delegated Power shall be made within 14 days of the receipt of the transfer order by the Public Officer. Appeal not within the stipulated time shall be rejected by the Commission.

235. The Head of Institution, Head of Department, Appointing Authority and Secretary to the Ministry shall ensure that an appeal handed over 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 respective observations and recommendations. However, in case of transfers made under the annual transfer scheme referred to in Chapter XVIII the appeal together with relevant files, documents, reports, observations and recommendations shall be delivered to the Commission on or before 01st of December.

236. It is the responsibility of every Public Officer to submit his appeal in accordance with the requirements in this Chapter and any appeal that does not conform to these requirements will not be considered by the Commission.

237. The Commission may make a determination on an appeal made against a promotion within 45 days of the receipt of the documents referred to in Section 235 by the Commission. The Commission may make a determination on an appeal made against a transfer within 15 days of the receipt of the documents referred to in Section 235 by the Commission.

238. The Commission shall send its decision on an appeal made as aforesaid direct to the appellant Public Officer with copies to the Authority with Delegated Power, Head of the Department and Head of the Institution.

239. A Public Officer aggrieved by an order or decision made by the Commission has the 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 XXI

Channels of Communication

240. An Authority with Delegated Power may communicate with the Commission directly under his signature on matters relating to its powers.

241. Except otherwise provided for in these procedural rules the public officers shall correspond with the Commission only through his Head of Institution, Head of Department and the Secretary to the Ministry.

242. Correspondence with the Commission shall be only through the Secretary to the Commission.

CHAPTER XXII

Interpretations

243. Unless the context otherwise requires, in these procedural rules:

- I** “**Constitution**” means the Constitution of the Democratic Socialist Republic of Sri Lanka.
- II** “**Citizen**” means a Citizen of Sri Lanka as defined in the Constitution.
- III** “**Commission**” means the Public Service Commission established in terms of Article 54(1) of the Constitution.
- IV** “**Committee with Delegated Power**” means a Committee to which the Commission has delegated power in terms of Article 56(1) of the Constitution.
- V** “**Officer with Delegated Power**” means a public officer on whom the Commission has delegated power in terms of Article 57(1) of the Constitution.
- VI** “**Authority with Delegated Power**” means either a Committee with Delegated Power or an Public Officer with Delegated Power.
- VII** “**Secretary to the Ministry**” means the Secretary appointed by the President in terms of Article 52(1) of the Constitution.
- VIII** “**Head of Department**” means the Head of a Dept. appointed by the Cabinet of Ministers in terms of Article 55(3) of the Constitution. In the case of a Ministry means the Secretary to the Ministry.
- IX** “**Appointing Authority**” means the Commission or an Authority with Delegated Power, empowered to appoint, promote and transfer Public Officers. .
- X** “**Disciplinary Authority**” means the Commission or Authority with Delegated Power of Disciplinary Control and dismissal of public officers.
- XI** “**Administrative Authority**” means a Public Officer who has been duly designated by the Commission to carry out administrative functions.
- XII** “**Director General Combined Service**” means the officer holding the post of Director General Combined Services and includes an officer acting in the post.
- XIII** “**Public Officer**” means a person who holds any paid office under the Republic other than a judicial officer but does not include the following :-
- ❖ the President
 - ❖ the Speaker
 - ❖ a Minister
 - ❖ a Deputy Minister
 - ❖ a Member of Parliament
 - ❖ a Member of the Constitutional Council
 - ❖ a Member of the Elections Commission
 - ❖ a Member of the National Police Commission
 - ❖ a Member of the Judicial Service Commission
 - ❖ a Member of the Public Service Commission
 - ❖ the Secretary General of Parliament
 - ❖ Commissioner General of Elections
 - ❖ a Member of the staff of the President
 - ❖ a Member of the staff of the Secretary General of Parliament
 - ❖ officers appointed to the Elections Commission by the Elections Commission
 - ❖ a Member of the Army, Navy or Air force
 - ❖ an employee of a Public Corporation, Statutory Board or an Institution vested in the Government.
- XIV** “**Permanent Officer**” means a public officer appointed by the respective 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 conditions relating to the probation or acting period and with or without pension rights.

- XV** “**Staff Officer**” means a Public Officer defined as a staff officer in Paragraph 11 of Public Administration Circular No.6/2006
- XVI** “**Field Officer**” means a public officer whose work lies mainly at work sites is not confined to one particular place and involve regular attendance in the field and who is required to under take inspection and visits whose very nature of duties involves field duty and whose responsibilities are not confined to any particular station or office.
- XVII** “**Substitute Employee**” means a person engaged to perform the duties of a post temporarily until the substantive holder who is absent is returned for duty or another arrangement is made to cover up his duties.
- XVIII** “**Casual Employee**” means a person engaged by a Head of Department or Head of Institution temporarily to attend to an unexpected need a need that will continue for a few days or a need that routinely arises each year.
- XIX** “**Ex-serviceman**” means an officer or a person of any other rank who has honourably left an armed service by retirement or released other than on disciplinary grounds.
- XX** “**All island services**” means services already identified as island wide services such as the Sri Lanka Administrative Service, Sri Lanka Engineering Service, Sri Lanka Scientific Service, Sri Lanka Architectural Service, Sri Lanka Accountants Service, Sri Lanka Planning Service, Sri Lanka Education Administrative Service, Sri Lanka Agricultural Service, Sri Lanka Animal Production & Health Service, Sri Lanka Medical Service, Sri Lanka Indigenous Medical Service, Sri Lanka Surveyors Service and any other service identified by the appropriate authority from time to time .
- XXI** “**Combined Service**” means the Public Management Assistants Service, Librarians’ Service, Translators’ Service, Drivers’ Service Office Employees Service and any other service identified by the appropriate authority from time to time as belonging to the Combined Service.
- XXII** “**Scheme of Recruitment**” means a formal scheme approved by the Commission for the appointment of Public Officers to a particular class, grade or post in the public service, promotion of such officer and matters incidental thereto.
- XXIII** “**Service Minute**” means a service minute duly approved by the Commission for the appointment of Public Officers to particular classes, grades or posts of a service recognised as such by the Commission and the promotion of such officers including any matter incidental thereto and published in the Gazette of the Democratic Socialist Republic of Sri Lanka.
- XXIV** “**Appointment**” means the conferment of any paid office in the public service subject to or not subject to subsequent confirmation, to a person not already in the public service, or an appointment, or a promotion or transfer involving an increase of salary or any change in status of a person already in public service.
- XXV** “**Promotion**” means the appointment in accordance with an approved Service Minute or a Scheme of Recruitment, 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.
- XXVI** “**Transfer**” means the moving of a public officer from one station or institution to another station or institution by the Commission or an authority with delegated power at their discretion or on disciplinary grounds or on the proposal of an Annual Transfer Committee and/or on the recommendation 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.
- XXVII** “**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.
- XXVIII** “**Re-instatement**” means the restoration to public office of a person who had been interdicted or dismissed or whose probationary appointment has been terminated or who has been treated as having vacated his post
- XXIX** “**Superior Post**” means one that has either the same or a higher initial salary and an incremental rate 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.
- XXX** “**Comparable Post**” means one which has at least the same incremental rate and a maximum salary not less than that of the post with which it is compared.
- XXXI** “**Inferior Post**” is one which has a lower initial salary, a lower incremental rate and lower maximum salary, or any one of them lower than that of the post with which it is compared.

- XXXII “Government Institution”** means a separate unit set up under a public officer of staff grade to carryout a particular duty or service of a Ministry or Department.
- XXXIII” 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,
- XXXIV “Documents”** means files, letters, registers, statements, reports, publications, books and computerized data and information.
- XXXV.** Unless the context otherwise requires, **words of masculine gender** also mean **words of feminine gender**.
- XXXVI** Unless the context otherwise requires, **singular words** also include their **plural sense**.

Procedure to be followed when there is inconsistency between texts

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

Transitional Provisions

245. All rules, regulations and procedure relating to appointment, promotion and transfer of public officers as are in force in terms of Article 61B of the Constitution, shall *mutatis mutandis*, cease to operate from the date of coming into force of these procedural rules.

Provided however, orders, all steps taken for appointment, promotion and transfer, all orders made, directions given, proceedings taken, transfers or retirement or release 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 and shall, as so far as it could have been made, issued, given or done under those rules, have effect as if made, issued, given or done under the corresponding provisions of these rules, *mutatis mutandis*.

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APPENDIX 01
(Section 65 & 68)

(Registered Post)

My No. :

.....
Date :

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

Sir/Madam

Appointment to the Post of in the Department of

I am pleased to inform you that you are appointed to the Post of in the Department of with effect from on the results of the competitive examination held on, professional test held on and the interview held on Accordingly you are hereby informed to report to at the at a.m. / p.m. on the above date and assume duties. If you fail to report for duty as above without a valid reason this appointment shall stand cancelled.

2. You shall hold this post on public trust. You shall efficiently and diligently discharge the duties of this post for the benefit of the country and its people .

3. You should 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.

4. 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.

5. This appointment is permanent. However, you are subject to a three year probation / one year acting period. During this period you must prove that you are fit for Public Service by discharging the duties and responsibilities stipulated in this letter of appointment competently, by good conduct and efficient discharge of your duties. You must also ensure that other requirements you are called upon to fulfil during your probation / acting period are also fulfilled. You will be confirmed in this appointment at the end of your probation / acting period only if you succeed in fulfilling all the above requirements. In case it appears that you are unable to do so this appointment may be revoked during or at the end of the period. Your appointment shall be reckoned as permanent only after the issue of a formal letter by the Appointing Authority that you have been confirmed in your post. Until such letter is issued your appointment shall be treated as not confirmed.

6. This appointment is pensionable. Further, you shall contribute to the Widows' & Orphans' Pension Fund / Widowers' & Orphans' Pension Fund. You shall pay contributions to this fund as declared by the Government from time to time.¹

7. This appointment is subject to all conditions and provisions mentioned in the Service Minute / Scheme of Recruitment of..... for the post of

8. Before the expiry of years assumption of duties you shall prove that you have acquired proficiency in the second language in accordance with the policy of the Government. If you had qualified for this appointment in the Sinhala Language your second language shall be Tamil. Similarly, if you had qualified for this appointment in the Tamil Language

¹ When the appointment is under Section 47 of Chapter 06, this paragraph shall be read as follows. "06. You shall contribute to the Public Servants' Provident Fund. The amount payable will be declared by the Government from time to time."

your second language shall be Sinhala. Further, if you had qualified for this appointment in English you shall acquire proficiency in either Sinhala or Tamil as the second language.

9. The salary scale applicable to this appointment is as follows:

You will be placed on the salary step..... of the scale. In addition to this you will be entitled to other allowances paid to public officers as decided by the Government from time to time. However, you must pass the first efficiency bar before you proceed beyond salary step the second efficiency bar before you proceed beyond salary step and the third efficiency bar before you proceed beyond Salary step as stipulated in the Service Minute / Scheme of Recruitment. In case you fail to pass an efficiency bar within the prescribed period your appointment will be terminated for inefficiency.

10. You should discharge your official responsibilities and obligations according to rules, regulations, orders and procedures enacted by the Public Service Commission for the public service. Similarly, you shall be subject to the Establishments Code, Financial Regulations of the Sri Lanka Democratic Socialist Republic, other government regulations, circulars, instructions and amendments issued thereto from time to time.

11. You are bound to furnish security as per the Public Servants' Securities Ordinance in such manner and sum as decided by the Head of Department.

12. In accordance with the official duties of your post you are liable to work on any day, any time, although under normal circumstances you are liable to perform your duties within the period prescribed by the Government.

13. You are liable to discharge the official duties of this post anywhere in the country on formal notice given to you instantly or with due notice.

14. You should prove through a formal medical examination report before the expiry of three months from the assumption of this appointment 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.

15. You shall make the affirmation or take the oath in terms of Articles 4 and 7 of the Constitution of the Democratic Socialist Republic of Sri Lanka. If you fail to make affirmation or take oath during the period prescribed by law your appointment shall cease at the expiry of such period.

16. You should duly establish your identity before taking up this appointment.

17. As soon as you assume duties in your appointment you should submit a letter on the prescribed form that you have reported for duties.

18. On the day itself that you assume duties you should submit the following documents to :-

- (i) Certified copy of your National Identity Card;
- (ii) Birth Certificate;
- (iii) Originals and a set of photocopies of educational, other educational and professional qualifications in support of the required basic educational qualifications for the post (The originals will be returned after perusal);
- (iv) Marriage certificate, if married: Birth Certificate of the spouse and, if there are any children, their Birth Certificates;
- (v) Service Agreement on General 160;
- (vi) Declaration of Assets on General 161;
- (vii) Declaration of Assets and Liabilities, if applicable ;
- (viii) Address permanent and temporary;

19. In case you want to resign from this post you must give one calendar month's notice. You may also resign from this post by paying a sum equivalent to your month's salary with the consent of the Appointing Authority.

20. If the fact that you have submitted erroneous or false information or documents to obtain this appointment in public service is duly 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.

21. Please acknowledge receipt of this letter to on form attached hereto, and inform whether you accept this appointment subject to the conditions stated herein.

22. In case you require free Railway warrants for travelling to accept this appointment you should make a written request immediately to

Yours sincerely ,

Signature :

Name :

Designation :

Copies :

1.
2.
3.
4.
5.
6. Auditor General - for your information

APPENDIX 02
 (Section 65, 68 and 157)

(Registered Post)

My No. :

.....

 Date :.....

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

Sir/Madam,

Appointment to the Post of in the Department of on Contract Basis

I am pleased inform you that you are appointed to the Post of in the Department of with effect from on the results of the competitive examination held on, professional test held on and the interview held on Accordingly you are hereby informed to report to at the at a.m. / p.m. on the above date and assume duties. If you failed to report for duty as above without a valid reason this appointment shall stand cancelled.

2. You shall hold this post on public trust. You shall efficiently and diligently discharge the duties of the post for the benefit of the country and its people.

3. You should 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.

4. 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.

5. This appointment is made solely on contract basis for a period of Accordingly this appointment will terminate on This appointment may be terminated even before that date as the need demands.

6. You have no right whatever 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.

7. You will be paid a monthly salary / allowance of Rs. (Rs/-). Moreover, 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.

8. You should discharge your official responsibilities and obligations according to rules, regulations, orders and procedures enacted by the Public Service Commission for the public service. Similarly, you shall be subject to the Establishments Code, Financial Regulations of the Sri Lanka Democratic Socialist Republic, other government regulations, circulars, instructions and amendments issued thereto from time to time.

9. In accordance with the official duties of your post, you are liable to work on any day, any time, although under normal circumstances you are liable to perform your duties within the period prescribed by the Government.

10. You are liable to discharge the official responsibilities of this post anywhere in the country on formal notice given to you instantly or with due notice.

11. You shall make the affirmation or take the oath in terms of Articles 4 and 7 of the Constitution of the Sri Lanka Democratic Socialist Republic of Sri Lanka. If you fail to make affirmation or take oath during the period prescribed by law your appointment shall cease at the expiry of such period. .

12. You should duly establish your identity before taking up this appointment.

13. As soon as you assume duties, you should submit a letter on the prescribed form that you have reported for duties.

14. On the day itself that you assume duties you should submit the following documents to :-

- (i) Certified copy of your National Identity Card;
- (ii) Originals and a set of photocopies of educational, other academic and professional qualifications in support of the required basic educational qualifications for the post (The originals will be returned after perusal);
- (iii) Service Agreement on Gen.160;
- (iv) Declaration of Assets on Gen.161;
- (v) Declaration of Assets and Liabilities, if applicable ;
- (vi) Address.

15. Your appointment may be terminated at any stage by the Appointing Authority with one month's notice.

16. In case you want to resign from this post you must give one calendar month's notice. You may also resign from this post by paying a sum equivalent to your month's salary / allowance with the consent of the Appointing Authority.

17. If the fact that you have submitted erroneous or false information or documents to obtain this appointment in the public service is duly established at any stage after the assumption of this duties by you, your appointment will be treated null and void and the appointment revoked forthwith.

18. Please acknowledge the receipt of this letter to on form attached hereto and inform whether you accept this appointment subject to the conditions stated herein.

Yours sincerely ,

Signature :

Name :

Designation :

Copies :

1.
2.
3.
4.
5.
6. Auditor General - for your information.

APPENDIX 03
(Section 83)

(Registered Post)

Your No. :

Name :

Address :

.....

Date :

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

.....

.....

Sir,

Appointment to the Post of in the 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 the conditions mentioned therein.

02. I hereby inform you that I do not wish to accept the appointment in the public service offered and letter of appointment is returned herewith.

Yours faithfully,

.....

Signature.

(Strike off paragraphs not applicable)

APPENDIX 04
(Section 86)

(To be submitted in duplicate)

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

To:
Through:

Sir,

**Reporting for Duty in the Post of in the
Department of**

Reference letter No. dated issued by appointing me to the post mentioned above.

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

Yours faithfully,

Signature:
Name :
Designation :

(Appointing Authority)

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 05
(Sections 101, 104 and 105)

Reference No. :

Annual Review Report Relating to Officers Subject to a Period of Probation / Acting

1. Particulars of the officer

- 1.1 Name of the Officer :
- 1.2 Designation :
- 1.3 Station :
- 1.4 Date of assumption of the appointment :

- 1.5 The date on which the probation / acting period will end :
 1.6 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? Yes / No
 3.2 Does he habitually come late for duties? Yes / No
 3.3 Does he duly attend to his duties during office hours? Yes / No
 3.4 Does he spend office time to attend to other extraneous matters? Yes / No
 3.5 Leave particulars for the relevant period:

<u>Casual</u>	<u>Vacation</u>	<u>Sick</u>	<u>Half-pay</u>	<u>No-pay</u>
.....

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 A brief description of disciplinary action taken against the officer during the relevant period:

5 Health

- 5.1 Was his physical health satisfactory? Yes / No
 5.2 Was his mental health satisfactory? Yes / No

6 Performance of duties

- 6.1 Capability weak / satisfactory / good /very good
 6.2 Efficiency weak / satisfactory / good /very good
 6.3 Dedication weak / satisfactory / good /very good
 6.4 Diligence weak / satisfactory / good /very good
 6.5 Neatness weak / satisfactory / good /very good
 6.6 Courteousness weak / satisfactory / good /very good
 6.7 Reliability weak / satisfactory / good /very good
 6.8 Adherence to instructions weak / satisfactory / good /very good
 6.9 Obedience weak / satisfactory / good /very good
 6.10 Knowledge of laws, rules, procedures, regulations and circulars etc. weak / satisfactory / good /very good

7 Any special skills shown:
.....
.....
.....

8 Any noticeable weaknesses shown:
.....
.....
.....

9 Particulars of passing over the efficiency bar :
.....
.....
.....

10 Particulars about gaining proficiency in the second language :
.....
.....
.....

11 Additional educational and professional qualifications obtained :
.....
.....
.....

12 Matters to be brought to the attention of the officer :
.....
.....
.....

13 Final conclusion on the officer after considering
All the relevant factors : weak / satisfactory / good /very good

14 The conclusions of this Review Report were brought to the notice of the officer on

.....
(Signature)
Immediately Supervising
Staff Officer
Name:
Designation:
Date :

.....
(Signature)
(Head of Department/ Institution)
Name:.....
Designation:
Date :

15 The conclusions of this Review Report were brought to my notice on

.....
(Signature)
Officer
Name:
Designation:
Date :

APPENDIX 06
(Section 100)

(Registered Post)

My No. :

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

Date :.....

Mr./Mrs./Miss.:.....
(Designation)

.....
Through:.....

Sir/Madam,

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 100, Volume I of the Public Service Commission procedural rules, due to your failure to fulfil the requirements for confirmation in terms of Section 98 of the procedural rules.

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

3. Please duly handover all government properties, documents, keys, computer passwords and official identity card, etc. in your charge before..... Failure to do so will result in legal action being taken against you.

(Appointing Authority)

Signature :

Name :

Post :

Copies :

1. Secretary, Public Service Commission
2. Accountant
3. Auditor General
4. Personal file of the officer

APPENDIX 07
(Section 107)

My No. :

.....
.....
.....
.....
Date :

Mr./Mrs./Miss. :.....
(Designation)

.....
Through :.....

Termination of Appointment

You are hereby informed that your appointment which was subject to a period of acting is terminated with immediate effect in terms of Section 107, Volume I of the Public Service Commission procedural rules, due to your failure to fulfil the requirements for confirmation in terms of Section 98 of the procedural rules.

2. Accordingly you are hereby reverted to your former post. / former post on supernumerary basis.

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

(Appointing Authority)
 Signature :
 Name :
 Post :

Copies :

1. Secretary, Public Service Commission
2. Accountant
3. Auditor General
4. Personal file of the officer

APPENDIX 08
 (Section 124)

My No. :

Address:

 Date:.....

Mr. / Mrs. / Miss.:
 Post :
 Through :

Notice of Promoting over the Efficiency Bar

You are hereby informed that you have passed the First / Second Efficiency Bar mentioned in the Service Minute / Scheme of Recruitment of the post of in with effect from

(Appointing Authority)
 Signature :
 Name :
 Post :

Copies :

- 1.
- 2.
- 3.
4. Personal File

APPENDIX 09
 (Section 128)

My No. :

Address:

 Date:.....

Mr/Mrs/Miss. :

Termination of Appointment

This is to inform you that your appointment as is deemed to have terminated with effect from in terms of Section 127, Chapter 10 of Volume I of Public Service Commission procedural rules, as a result of your failure to pass the Efficiency Bar within the stipulated time.

02. Please settle all advances and loans taken by you from the government before..... Failure to do so will also result in legal action being taken against you for the recovery of such dues.
03. Please duly handover all government properties, documents, keys, computer passwords and official identity card, etc. in your charge before Failure to do so will result in legal action being taken against you.

(Appointing Authority)
 Signature :
 Name :
 Post :

Copies :

- 1.
- 2.
- 3.
4. Personal File

APPENDIX 10
 (Section 143)

Address:

 Date:.....

(Appointing Authority)

 Through (Head of Department / Institution)

**Request for permanent / temporary release from the Public Service for service in the post of
 in the**

1. Particulars of the officer

- 1.1 Full name :
- 1.2 Service : Class :..... Grade :.....
- 1.3 Designation :.....
- 1.4 Station :.....
- 1.5 Department / Institution :.....
- 1.6 Ministry :.....
- 1.7 The date on which the officer was confirmed in the Public Service :
- 1.8 Age as at the date of request : Years:..... Months: Days:.....
- 1.9 Whether or not the officer has passed all relevant efficiency bars / departmental tests by the date the request is made :
- 1.10 If the officer has received special training for discharging the duties of his present post, please give details.

- 1.11 If the officer is under bond with the Government for a compulsory period of service, please give details.

1.12 Details of previous temporary releases from the Public Service.

<i>Institution</i>	<i>Designation</i>	<i>Period</i>	<i>Years</i>	<i>Months</i>
.....	from to
.....	from to
.....	from to
			Total	

2. The post which the officer 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 The proposed date of assumption of duties in the post :

3. I attach hereto a letter issued by expressing willingness to appoint me to the post of in the

I attach hereto a certified copy of the minutes of the trade union / welfare union stating that I have been selected for the post of in the said union and that it is necessary to get me temporarily released from the Public Service for service in the said post. I also attach hereto details about the number of members registered in the said union and a copy of the approved constitution.

4. I certify that the matters stated by me above are true. This request is submitted in terms of Section 143 of the procedural rules of the Public Service Commission. Accordingly I request that I be permanently / temporarily released from the Public Service for service in the post of in the Department / Institution.

Signature of the Officer

APPENDIX 11
(Section 143)

My No. :

Address :

.....

.....

Date :

(Appointing Authority)

.....

**Request for the release of an officer permanently / temporarily from his present post
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 Station :
- 1.5 Department / Institution :
- 1.6 Ministry :

2. The post proposed to be appointed after the release

- 2.1 Post :
- 2.2 Salary Scale :
- 2.3 Station :
- 2.4 Institution :

3. Proposed release

- 3.1 Whether permanent or temporary :
- 3.2 If temporary, for how long :
For a period of years from to

4. The request of the Institution seeking to employ the officer is attached as annex

5. The letter of consent by the officer 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 of which will employ the officer.

7. Accordingly I request that the above officer be released temporarily / permanently from the post he now holds in the Public Service for appointment to the above post.

(Signature) Name :
Secretary :
Ministry :

(Strike off words and sections inapplicable)

APPENDIX 12
(Section 172)

My No. :

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

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

Notice of Vacation of Post

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

02. Accordingly, you are hereby informed in terms of Section 172, Volume I of the Procedural Rules of the Public Service Commission that you are deemed to have vacated your post on your own accord.

03. Please settle all advances & loans taken by you from the Government before Failure to do so will also result in legal action being taken against you for the recovery of such dues.

04. Please duly hand over all Government properties, documents, keys, computer passwords and official identity card, etc. in your charge before Failure to do so will 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 Pension.

Signature :
 Name :
 Designation :

Copies :

1. Appointing Authority
- 2.
- 3.
- 4.
5. Auditor General

APPENDIX 13
 (Section 179 (1))

PART I

Address:

 Date:

To :
 Through :

**Request for Extension of Service in the Public Service
 beyond 57/58/59 years of Age**

01. Full Name :
02. Service : Class: Grade :
03. Post :
04. Date of Birth :
05. Age on the next date of birth : years
06. Date of permanent appointment :
07. Period of Service under Government on the next date of birth :
 Years : Months : Days :

I am physically and mentally in good health. At present there is / there is no disciplinary action initiated against me. I wish to continue in the Public Service after the completion of years of age. I therefore request that my service be extended by one year effective from

Signature :
 Name :
 Post :

PART II

My No. :

(Appointing Authority)

.....

The applicant is an officer in class..... grade of service who is working in this Department as

02. (i) I recommend that his service be extended by one year from as he has fulfilled the requirements in Section 179 of the Volume I of the Procedural Rules of the Public Service Commission.

(ii) I do not recommend the extension of his service for the following reasons. Photo copies of documents showing such reasons are attached hereto.

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

03. Submitted for an early decision.

(Head of Department)

Signature :

Name :

Designation:

Official Stamp :

Date :

.....

APPENDIX 14

(Section 209)

Your Ref :

Name:

Designation:

Address:

.....

.....

Date :

(Appointing Authority).....

Through.....

Representations relating to Proposed Annual Transfer

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

02. I kindly request under Section 209, Volume I of the procedural rules of the Public Service Commission that the proposed transfer be cancelled/varied on the basis of the following facts.

2.1

.....

2.2

.....

APPENDIX 21
 (Section 226)

**Biannual Report on Changes of the Staff submitted by the Authority with Delegated Power
 to the Public Service Commission - From to**

New Appointments		Number of Promotions	Number Dismissed	Number Resigned	Number Vacated Posts	Number Retired	Number Interdicted	Number on Leave Compulsory
Permanent	Contract							

Prepared by : Checked by :
 Signature: Signature: Signature:
 Name : Name : Name :
 Designation : Designation : Designation :
 Date : Date : Date :

APPENDIX 22
 (Section 227)

**Register to be maintained by each Government Office /Institution
 on the Entire Staff**

Serial No.	Date on which the Officer reported for Service in the Office	Name and Designation of the Officer	Leaving the Office		Signature of Management Assistant in charge of the Subject and Date	Signature of the Staff Officer and Date
			Manner	Date		

APPENDIX 23
 (Section 231)

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

Secretary to the Public Service Commission
 Through : (Head of Department / Institution)

 (Appointing Authority)

 (Secretary to the Ministry)

Appeal made against the Appointment / Promotion / Transfer

01. Particulars of the Appellant :

- 1.1 Full Name :
- 1.2 Service : Class : Grade :
- 1.3 Post :
- 1.4 Station :
- 1.5 Department / Institution :
- 1.6 Ministry :

02. Decision / Order on which the appeal is based.

- 2.1 Describe the decision / order briefly :
.....
.....
.....
- 2.2 Who made the decision /order?
.....
- 2.3 The date on which the officer received the order :
- 2.4 Certified copies of letters containing the decision / order are attached as annexes shown below :
Annex(1)
Annex(2)
- 2.5 Any other relevant matters :
.....
.....
.....

03. Reasons for making an appeal against the decision / order :

- 3.1
- 3.2
- 3.3
- 3.4
- 3.5
- 3.6 Certified copies of written submissions to support the above reasons are attached as annexes shown below :
Annex(1)
Annex(2)
Annex(3)

04. Redress prayed for :-

- (1)
- (2)
- (3)
- (4)

Signature :
Name :
Designation :
Date :

Copies :

Secretary,
Public Service Commission -

(This advance copy is kindly referred to you for necessary action).