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அமைச்சரவை அலுவலகம்

OFFICE OF THE CABINET OF MINISTERS

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කොළඹ 01.

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Your No. }

Secretary to the President,
Secretary to the Prime Minister,
Secretaries to All Ministries.

Interim Measures for Establishment Matters coming under the Public Service
Commission (PSC) and National Police Commission (NPC)

Cabinet of Ministers at its Meeting held on 17.06.2009 granted approval to instruct all Secretaries to Ministries to adopt the following procedure in dealing with Establishment Matters in the Public Service, including the Sri Lanka Police Service, as an interim measure, until such time the Public Service Commission (PSC) and the National Police Commission (NPC) are properly re-constituted. You are kindly requested to take action accordingly.

(a) Appointments, Promotions and Transfers

- (i) Appointments in the Staff Grades, including all All Island Services, should be done by the relevant Secretaries to Ministries/Administrative Authorities of such services, following the approved procedures given in the relevant Service Minutes/the Schemes of Recruitment and the guidelines laid down in the Management Services Circulars No.36 and 36(i).
- (ii) Urgent requirements for recruitment to Staff Grade Posts in the Public Service should be done following the existing Service Minutes/Schemes of Recruitment, after getting the relevant salary scales identified by the National Salaries and Cadres Commission, in terms of P.A. Circular No.06/2006. Meanwhile, action should be taken to get the relevant Service Minute/Scheme of Recruitment amended in terms of P.A. Circular No.06/2006 with the concurrence of the Director General of Establishments and the National Salaries and Cadres Commission.

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Chief Clerk }

- (iii) Appointment of Additional Secretaries and Senior Assistant Secretaries to Ministries should be done with the approval of the Cabinet of Ministers.
- (iv) Promotions in Staff Grade posts in the Public Service, other than in the All Island Services, should be done by the relevant Appointing Authorities after getting the relevant Service Minutes/Schemes of Recruitment amended in terms of P.A. Circular No.06/2006, with the concurrence of the Director General of Establishments and the National Salaries and Cadres Commission, following the procedure laid down in the Service Minute/Scheme of Recruitment of the Post. Approval of the Cabinet of Ministers should be obtained in granting promotions in the All Island Services.
- (v) Recruitment to the Police Service should be done by the Inspector General of Police, with prior approval of the General Treasury and the Secretary to the Ministry of Defence, Public Security, Law and Order. However, in the case of recruitment to the grade of Assistant Superintendent of Police, approval of the Cabinet of Ministers should be obtained giving all relevant details before making such appointments.
- (vi) Approval of the Cabinet of Ministers should also be obtained for granting promotions to the rank of Assistant Superintendent of Police and above.
- (vii) Transfers in the Public Service should be done with the approval of the relevant Secretary to the Ministry/Administrative Authority following the procedure laid down in the Establishments Code as amended by the relevant P.A. Circulars.

(b) **Disciplinary Action**

- (i) Disciplinary action against Staff Grade Officers in the Public Service should be attended to by the relevant Secretaries to Ministries/Administrative Authorities as laid down in the Establishments Code and relevant P.A. Circulars. However, imposition of punishments where charges have been proved after a formal disciplinary inquiry or exonerating them of charges when not found guilty should be submitted to the Cabinet for approval.
- (ii) All appeals against disciplinary orders pertaining to staff grade officers should be referred to the Cabinet, along with a report from the relevant Secretary to the Ministry/Administrative Authority, as applicable.

(c) **Extensions of Service, retirements and re-employment**

- (i) Extension of service beyond the age of 57 years should be implemented by the relevant Secretary to the Ministry/Administrative Authority in consultation with the Minister concerned, following the approved procedure. Appeals relating to not granting of extensions to staff grade officers beyond the age of 57 years should be referred to the Cabinet for consideration.
- (ii) Normal retirement of Public Officers hitherto attended to by the PSC should be implemented by the relevant Secretaries to Ministries/Administrative Authorities, as the case may be. In instances where disciplinary action has been initiated, such retirements should be implemented by the relevant Secretaries to Ministries/Administrative Authorities, under Section 12 of the Minute on Pensions.
- (iii) Re-employment of all officers on claims in respect of their unutilized leave, in terms of P.A. Circular No.24/2007 and 24/2007-I should be implemented by the Secretary to the relevant Ministry.
- (iv) Requests for re-employment of a retired Staff Grade Officer or Non-Staff Grade Officer in a vacant post should be made only when a suitable officer cannot be found for appointment on permanent basis or on acting basis or on the basis of attending to duties, and such requests should be submitted to the Cabinet for consideration (any request for re-employment of a retired officer in a vacant post, should be supported by a certificate of the relevant Appointing/Administrative Authority of such post to the effect that an officer is not available to be appointed to the post on a permanent basis).

(d) **Resignation and Release of Public Officers**

- (i) Resignations of Public Officers under normal circumstances will be entertained by the relevant Secretaries to Ministries. However, resignations of officers against whom disciplinary action has been initiated should be referred to the Cabinet of Ministers for a decision.
- (ii) Release of Staff Grade Officers to other institutions, projects etc. should be done by the relevant Secretaries to the Ministries following the provisions in the Establishments Code and relevant Circular Instructions. Any deviations from the existing Guidelines should be referred to the Cabinet of Ministers for consideration.

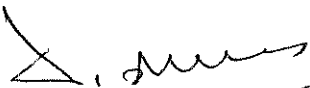
(e) **Leave Abroad**

- (i) Requests for granting Leave Abroad of officers against whom disciplinary action has been initiated should be submitted to the Cabinet of Ministers for consideration.

(f) **Delegated Authority**

- (i) Powers already delegated by the Public Service Commission to Secretaries to Ministries, Heads of Departments etc. will continue.

- (g) Any other matters that are not referred to in these instructions should be referred to the Cabinet of Ministers for consideration.



D. Wijesinghe
Secretary to the Cabinet
25th June, 2009