

Public Administration
Circular No. 161

My No. PA/B/2/30
Ministry of Public Administration
Torrington Square,
Colomb 7.

11th March, 1980.

To All Secretaries and
Heads of Departments:

Award of Pension

A public officer is retired under the provisions of the Public & Judicial Officers (Retirement) Ordinance, (Chap. 355) of the Legislative Enactments. Rules 2 and 3, made under Section 2 of the Ordinance and appearing in Volume VI of the subsidiary Legislation provide for a public officer to be retired by the competent authority on various grounds.

2. Please therefore ensure that the order for retirement is made by the Competent Authority, before an application for pension is forwarded to the Director of Pensions. The competent authority in relation to the retirement of an officer means the authority competent to make appointments to the office held by that officer.

3. Extracts from Public Administration Circular No. 130 of 18.10.1978, and the Constitution of the Democratic Socialist Republic are appended below for information :-

3.1 Extract from the Public Administration Circular No. 130

"2:11:1 Appointment, Dismissal and Disciplinary Control.

Category	Description	Authority
1	Heads of Departments Additional Secretaries to Ministries.	Cabinet of Ministers
	Government Agents, Senior Asst. Secretaries to Ministries.	-do-
2.	Public Officers in Staff Grade in the Combined Services.	Secretary to the Ministry of Public Administration.
3.(a)	Public Officers in Staff Grade not in the Combined Services.	Secretary to the Ministry concerned/ Head of the Dept. if not under a Ministry.
(b)	Public Officers in Staff Grade in the Auditor General's Dept. and the Department of Elections, not in the Combined Services.	Secretary to the President.
4.	Public Officers not in Staff Grade in the Combined Services	Director, Combined Services.
5.	Public Officers not in Staff Grade and not in the Combined Services."	Head of the Department.

(Contd.)

3.2 Extract from the Constitution of the Democratic Socialist Republic of Sri Lanka - Article 114 (1) & 114 (6):

" 114(1) The appointment, transfer, dismissal and disciplinary control of judicial officers and (not withstanding anything to the contrary in chapter IX) of Scheduled, public officers, is vested in the Commission".....
(Judicial Service Commission)

" 114(6) In this Article -

"appointment" includes an acting or temporary appointment;

"judicial officer" does not include a judge of the Supreme Court or of the Court of Appeal or of the High Court;

"scheduled public officer" means the Registrar of the Supreme Court, the Registrar of the Court of Appeal, the Registrar of any Court of First Instance, or any public officer employed in the Registry of the Supreme Court, the Court of Appeal or any Court of First Instance, included in a category specified in the Fifth Schedule or in such other categories as may be specified by order made by the Minister in charge of the subject of Justice, and approved by Parliament, and published in the Gazette."

"FIFTH SCHEDULE

Clerks
Fiscals
Interpreters
Stenographers
Typists
Binders"

Sgd: D.B.I.P.S. Siriwardhana

Secretary,

Ministry of Public Administration.