

Ministry of Public Administration,  
Provincial Councils & Home Affairs,  
Independence Square,  
Colombo 7.

November, 1989.

To, All Secretaries to Ministries,  
Chief Secretaries to Provincial  
Councils, Heads of Departments  
and Chairmen of Corporations.

Payment of Compensation etc. on injury/death  
caused by subversive/terrorist activity to a  
public officer, Corporation employee,  
Co-operative employee and the staff of a  
Member of Parliament registered with Ministry  
of Justice and Parliamentary Affairs

Your reference is requested to Public Administration

Circulars Nos. 343 dated 25.09.86, 363 dated 11.5.87, 14/88 dated 25.4.88,  
31/88 dated 13.7.88 and 31/88 dated 9.9.88;

2. The following decisions have been taken by the Government  
in regard to the above scheme:

- (a) This scheme should be extended to cover "subversive related activity" in addition to categories of incidents mentioned in the above circulars.
- (b) This scheme should be applicable to incidents occurred whether on duty or not.
- (c) The package of payments outlined in this scheme should cover all cases of death/injury occurred due to terrorist/subversive activities prior to the date of this circular provided such cases satisfy the requirements of this scheme.
- (d) The daily paid workers, casual workers in the Public, Corporation and Co-operative Sectors should be entitled to the benefits in terms of this scheme.
- (e) In order to expedite payment of compensation to dependants of deceased officers/employees the A.G.AA ("Divisional Secretaries" - Please note that Chief Secretaries of Provincial Councils have been informed to change the designation of the Divisional Assistant Government Agent to that of "Divisional Secretary" of the Provincial Council with effect from 1.10.89 by my letter No.ABK/N/Gen/GA dated 21st September 89) should initially process the applications for compensation under the supervision of the Government Agent of the area and forward such applications to the respective Ministry/Department/Corporation for payment.

3. The existing scheme for Public Officers will be operative as amended by para (2) of this circular. However, the officer or dependants of such deceased officer will be eligible for relief mentioned in Public

Administration Circular No. 346 dated 8.10.86 if such relief is more beneficial, but not both. Accordingly (only for the purposes of such payment) you may treat that Public Administration Circular No. 346 dated 8.10.86 is suitably amended in terms of para (2) of this circular,

4. The existing scheme for corporation employees will be operative as amended by para (2) of this circular. However, if there is a State assisted insurance or a compensation scheme which is more beneficial, relief could be sought under such schemes but employees are not eligible to claim relief from both schemes.

5. The existing scheme for Public Officers will be applicable to the staff of a Member of Parliament subject to the conditions of such employment. However, to be eligible for benefits of this scheme, names of such persons should have been registered at the Ministry of Justice and Parliamentary Affairs.

6. Members of Boards of Directors of Public Corporations, Boards of Directors of Co-operatives and Co-operative Employees will be eligible for the medical aid allowance and compensation for loss of earning capacity as in the case of a Public Officer. In case of death due to terrorist/subversive activity, the dependants will be eligible for an ex-gratia payment of Rs.100,000/-. If such funds are not available the Treasury will provide funds to such institutions. In any case salaries etc. will not be paid to such persons.

7. A Committee comprising the Secretary, Ministry of Defence, the Secretary to the Minister of State for Trade and the Secretary to the Minister of State for Public Administration, has been appointed to resolve difficulties in interpreting the provisions of this circular and Public Administration Circulars mentioned above. Therefore, such cases should be referred to the Secretary to the Ministry of Defence.

8. The dependants of Public Officers and Teachers who resigned to contest the Provincial Councils Elections and the Parliamentary Elections and who were killed while they were Candidates for such Election, should be paid their normal salaries till such time as those killed would have reached the normal age of retirement and their pensions thereafter.

9. The following clarifications are also made to facilitate respective authorities in expediting matters connected with the above scheme:

I. Sub post masters and substitute labourers in Govt. Depts, are entitled to benefits of this scheme.

II. When the salary of an officer is to be paid in terms of P.A. Circular 343 dated 25.09.86, the amount should be calculated on the basis laid down in para 2C(a) of P.A. Circular No. 21/88 dated 13.07.88. (to be read with paras 03, 04 and 05)

III. Your attention is drawn to the interpretation of the word "Gender" in para 1 of Chapter I of the Establishments Code.

This interpretation should be applied when interpreting the words "officer", "employee", "wife" or "husband".

IV. The ex-gratia payment as compensation to be paid in relation to the loss of earning capacity is given in para 2B II of Public Administration Circular No. 21/88 dated 13.7.88. When the loss of earning capacity given in the medical report falls in between the given percentages the compensation payable should be decided on a proportionate basis.

Sgd: P.N.M. Fernando  
Secretary,

Ministry of Public Administration,  
Provincial Councils & Home Affairs.