

Public Administration Circular : 03/2018

My No: EST-4/02/REM/0197
Ministry of Public Administration
and Management
Independence Square
Colombo 07.

20.02.2018

Secretaries to Ministries
Chief Secretaries of Provinces
Heads of Departments

Re-employment of Retired Public Officers

Public Administration Circular 09/2007 dated 11.05.2007 which consists of provisions on re-employment of retired public officers and Public Administration Circulars comprising revisions to the said circular are cancelled and the following provisions shall be effective from 01.02.2018.

02. Secretaries of Ministries, Heads of Departments/other Government Institutions should implement an appropriate programme to identify human resource requirements along with other development plans in advance, to keep the information of the officers of their staff ready enabling the future human resource requirements to be identified immediately and to identify the suitable individuals in advance, who should be appointed to the posts which are fallen vacant due to retirements and promotions of the officers of their institutions and the following methodology should be followed only at instances where it is unable to identify a suitable officer through such methodology.

- I. A Retired Public Officer beyond 60 years of age should not be employed in an approved post in the Public Service.
- II. However the Competent Authority may appoint a retired officer subject to a maximum period of twelve (12) months on the personal recommendation of the Secretary of the relevant Ministry only to the essential posts for which the appointment of a successor has been found difficult and which could not be covered by the officers presently in service through alternative means, such as acting arrangements. In the case of a Department not coming under the purview of a Ministry the Head of the Department should personally certify the requirement.
- III. An officer already re-employed in service after retirement for a period of twelve (12) months or more could be engaged in service only up to the completion of the period of service on contract basis and should not be re-employed in service once again, unless on a request made by the relevant institution, the Appointing/ Delegated/ Administrative Authority of the post, as the case may be, intimates in writing that the vacancy cannot be filled by a suitable permanent officer on the due date.

- IV. No person beyond 67 years of age should be appointed to an approved post in the Public Service for whatever reasons.
 - V. A suitable successor should be identified by the Head of the Department during the period which pensioner has been re-employed and the re-employed retired officer should be entrusted with the responsibility of training the identified officer.
03. A retired officer re-employed in service/ re-appointed to a post, should be paid the monthly remuneration in the following manner.
- I. When a retired Public officer is re-employed in his previous post with or without a break in service he should be paid a monthly allowance equivalent to the monthly salary drawn by him in public service at the time of retirement.
 - II. When an officer is re-employed in a post which has a salary scale higher than the one he was entitled to at the time of retirement he should be paid a monthly allowance equivalent to the salary mentioned in 03.I above or the initial salary of the post in which he is re-employed whichever is higher.
 - III. When an officer is re-employed in a post which has a salary scale lower than the one he was entitled to at the time of his retirement, he should be paid an allowance equivalent either to the allowance mentioned in 03.I above or the corresponding salary step in the salary scale relevant to the new post whichever is less. (The corresponding salary step means the salary step in the scale of the new post which should be calculated on the basis of the number of increments the officer had earned in the previous salary scale by the time of retirement).
 - IV. The pension of persons who have retired before reaching the compulsory age of retirement and have been re-employed thereafter should be kept frozen till the date of his reaching the compulsory age of retirement or the date on which his contract of re-employment is over whichever occurs earlier.
04. For the purpose of this Circular the “last drawn salary” means, the salary received by the officer at the time of retirement. It does not include the portion of the increment earned by him from the date of the last salary increment up to the date of retirement.
05. Where the salary scale to which an officer was entitled at the time of retirement has been revised subsequently his monthly allowance on re-employment should be paid as per the corresponding salary step of the revised salary scale.
06. Pension of officers who have retired after reaching the compulsory age of retirement and are re-employed/appointed, will be paid continually without freezing. Further, they are paid the cost of living allowance due along with their pension and the remaining half of the cost of living allowance received by the officer along with the pension under re-employment/appointment can be granted along with the monthly allowance drawn by him.

07. The re-employed officers mentioned in the para IV of 03 above can also obtain the revised cost of living allowance.

08. This Circular should be made applicable for all the persons who are appointed to permanent or casual posts after retirement from Public Service.

09. In making recommendations to Public Service Commission to re-employ any retired public officer, Secretaries of Ministries and Heads of Departments are required to forward necessary information in accordance with the form attached herewith and in the meantime, it is requested to include following particulars in filling of para 13 of the form.

- I. Whether the respective officer has already been sent on retirement properly by the relevant authority, and if so, whether it is a normal retirement or procedure retirement under Section 12 of Pensions Minute.
- II. That the officer has not been sent on retirement on disciplinary grounds, inefficiency or unsatisfactory service.
- III. That the officer's service before the retirement is satisfactory and he has not been subjected to any disciplinary punishment.

10. A retired officer, who is re-employed in service/re-appointed to a post, should be granted the other facilities entitled to the post.

11. The monthly allowance of the officers who have been re-employed/appointed by 01.02.2018 should also be revised from the effective date of this Circular, as mentioned in the para 03 above.

12. Since an allowance is paid as the monthly remuneration to the retired officers, who are re-employed, in terms of the provisions of this Circular, pension of such officers should not be revised as per the provisions of the Pensions Minute.

13. This Circular is issued with the concurrence of the General Treasury.

Sgd./ J.J. Rathnasiri
Secretary

Ministry of Public Administration and Management

Re-employment of Retired Public Officers

01. Name of the recommended officer:-
02. Service and Grade to which the officer belonged:-
03. Date of Birth:-
04. NIC number:-
05. Post and Grade in which the officer is recommended to be re-employed:-
06. Period:-
07. Particulars relevant to the recommended post:-

Approved total number of employees	Number of vacancies	Reasons for the posts to be fallen vacant	Dates on which the posts were fallen vacant	Obstacles for filling the vacancies permanently

08. Whether the duties of the post which has fallen vacant cannot be covered by the other officers in the service station and reasons:-
09. If not, whether there are officers who can be appointed to this post on acting basis or not and reasons for not recommending such officers for the purpose:
10. Post held last by the officer:
11. Service station:
12. Date of retirement of the officer:
13. Manner of retirement:
14. Whether the officer has been re-employed previously:
15. If so, the post, the person who granted approval and period of the relevant appointment:
16. Special reasons for recommending the officer:
17. Whether disciplinary inquiries are being conducted/ had been conducted against the officer:
18. If disciplinary inquiries had been conducted against the officer indicate the disciplinary order:

Date:-

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Head of the Department

Date:-

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Secretary of the Ministry