



PUBLIC SERVICE COMMISSION

ANNUAL REPORT

2012

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PUBLIC SERVICE COMMISSION

No. 177, Nawala Road, Narahenpita,

Colombo 05.

26th August 2013

The Secretary General

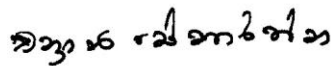
Parliament of the Democratic Socialist Republic of Sri Lanka

Sir,

ANNUAL REPORT OF THE PUBLIC SERVICE COMMISSION
FOR THE PERIOD 1 JANUARY TO 31 DECEMBER 2012

I, by order of the Public Service Commission herewith kindly forward to you the Commission's Report of its activities for the period 1 January 2012 to 31 December, 2012 for submission before the Parliament in terms of Article 55(5) of the Constitution of the Democratic Socialist Republic of Sri Lanka.

Yours faithfully,



T.M.L.C. Senaratna

Secretary

Public Service Commission

Members of the Public Service Commission

Chairman

Vidya Jhyothy Dr. Dayasiri Fernando

Members

Mr. Palitha M. Kumarasinghe PC

Mrs. Sirimavo A. Wijeratne

Mr. S.C. Mannapperuma

Mr. Ananda Seneviratne

Mr. N.H. Pathirana

Mr. S.Thillanadarajah

Mr. M.D.W. Ariyawansa

Mr. A. Mohamed Nahiya

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01. Introduction

In terms of Article 54(1) of the Constitution as amended by the 18th Amendment, the Public Service Commission consists of not more than 9 members appointed by the President. The President will appoint one of such members as its Chairman. This Commission has been appointed with effect from 13.05.2011. In accordance with the provisions in Article 55(5) of the Constitution the Public Service Commission submits this report to Parliament for the period 1st January 2012 to 31st December 2012.

02. Historical path of the Public Service Commission

During the era when Sri Lanka was a colony under the British Crown, the first Public Service Commission was established by the Ceylon (Constitution) Order in Council of 15th May 1946. The Public Service Commission was thereby vested with the executive powers of appointment, promotion, transfer, disciplinary control and dismissal of public officers.

With the adoption of the first Republican Constitution in 1972 the Public Service Commission which was hitherto in existence for 26 years was abolished and the authoritative power over the public service was vested in the Cabinet of Ministers.

The second Republican Constitution of 1978 reestablished the Public Service Commission and it functioned only as the Appellate Authority. In 1992, this Commission by virtue of the delegated authority vested in it by the Cabinet of Ministers exercised the executive powers of appointment, promotion, transfer, disciplinary control and dismissal of public officers (except higher positions of Senior Assistant Secretary and above). The Cabinet of Ministers retained with it the authority to alter, vary or rescind any decision made by the Commission or a Committee thereof with delegated powers.

The 17th Amendment to the Constitution in 2001 nullified the hitherto existed Chapter IX of the Constitution concerning the public service and a new chapter was incorporated. As such, the Public Service Commission consisted of members, not more than nine in number, appointed by the President on the recommendation of the Constitutional Council and one person from among such members was appointed as

the Chairman of the Public Service Commission. This particular amendment brought about a robust change into the profile of the Public Service Commission and the authority vested in the Cabinet of Ministers with regard to appointment, promotion, transfer and disciplinary control of the public service was delegated to the Public Service Commission subject to the provisions of the Constitution. Moreover, the Public Service Commission in this instance was made an institution accountable and answerable to the Parliament adhering to its Standing Orders.

In the year 2010, matters pertaining to the establishment and functions of the Public Service Commission have been revised by the 18th Amendment to the Constitution. This ought to be a Commission answerable to Parliament in keeping with its Standing Orders. In terms of Sub Article 54(1) of the Constitution as amended by its 18th Amendment, the Public Service Commission consists of not more than nine members appointed by the President. The President will also appoint one of such nine members as the Chairman of the Public Service Commission. They hold office for a term of three years and are eligible for reappointment for one further term.

In pursuance of Article 55 (1) of the Constitution as amended by its 18th Amendment, the Cabinet of Ministers shall provide for all policy matters concerning the public officers. Subject to provisions of the Constitution, the Public Service Commission has been vested with the powers of appointment, promotion, transfer and disciplinary control of the public officers including police officers.

03. Powers of the Public Service Commission

By virtue of the powers vested via 18th Amendment to the Constitution, except for members of Army, Navy and Air Force, provincial public officers appointed by the Provincial Public Service Commissions, Ministry Secretaries appointed by the President, Heads of Department appointed by the Cabinet of Ministers, scheduled officers appointed by the Judicial Service Commission and employees of Public Corporations, Statutory Bodies and Government Owned Business Undertakings,

- the appointment
- promotion
- transfer
- disciplinary control and
- dismissal from public service

of all other public officers including officers falling under All Island Services employed in the Provincial Councils are handled by the Public Service Commission.

3.1 Instances where the decisions of the Public Service Commission can be canvassed.

The decisions of the Commission cannot be canvassed in any Court of Law or Tribunal except;

- in the Supreme Court for the sake of fundamental rights subject to Article 61A and paras (1), (2), (3), (4) and (5) of Article 126 of the Constitution and,
- in the Administrative Appeals Tribunal established by the Administrative Appeals Tribunal Act No. 4 of 2002 in terms of Article 59(1) of the Constitution.

04. General review of the work of the Public Service Commission

The Public Service Commission which was in operation for the period from 01 January to 31 December 2012 carried out its activities in a manner of transparency and integrity with the firm resolve of fostering and sustaining an honorable public service towards the uplift of the entire nation of Sri Lanka and the motherland's prosperity.

In this exercise, approval of the Public Service Commission was made available by way of carrying out in depth studies of the Schemes of Recruitment and Service Minutes for various professions and services bringing forth amendments and new provisions for them with a view to improving the efficiency and performance of the public service. Action was taken to expeditiously deal with all instances of critical issues that were confronted with by calling up Ministry Secretaries and Heads of Departments before the PSC and holding rounds of discussion with the members of the Commission led by the Chairman and senior staff officers including the Secretary of the Public Service Commission with parties concerned agreeing in cohesion.

When appointments and promotions were made to higher posts in the public service due emphasis was also made on the educational and professional aspects as well as the experience thereby paving way for justice and fair play in a transparent manner.

Officers of the Ministry of Education including its Secretary were summoned before the Public Service Commission and host of matters constituting Service Minutes, Promotions and Recruitments concerning the Ministry have been resolved with collective agreement.

When appointment of Principals to National Schools having vacant positions of Principals were made issues cropped up in several schools due to various interruptions from Principals engaged in covering up duties by then and in addition, from other outside parties were subjected to scrutiny and the Public Service Commission strived to safeguard the dignity of the public service by way of seeking assistance from other government institutions including Police Department to ensure the administration of justice and fair play to the newly qualified Principals also with disciplinary action where necessary and in addition, by addressing the problems of the aggrieved parties, if any.

In the dealings against officers in the public service who breached the standard norms of conduct expected of them the Public Service Commission has delivered its orders in a coherent manner following a careful and deep analysis of all necessary information. However, the Public Service Commission, when carrying out its disciplinary procedure against public officers, is compelled to put on hold its decision making process on individual officers having regard to the disciplinary matter concerned due to reasons attributable to failure on the part of various Ministries and Departments in many instances in tendering observations, recommendations and reports called for from them in connection with such disciplinary matters and also due to incomplete reporting by them at times. The ultimate outcome of it would be the postponement of the final decision by the Public Service Commission. (Eg. No explanations given in support of transfers or interdictions from service except for recommendations to that effect and non-availability of preliminary inquiry reports, No submission of recorded statements and/or documents/productions taken into custody; even with the availability of preliminary inquiry reports).

Scrutiny of the incomplete reports received by the Commission reveals that the degree of knowledge on the government's disciplinary procedure and the management of disciplinary matters are at low ebb and that it has given rise to surfeit of shortcomings. Should the Government Departments and Ministers being alert on their personnel holding responsibility on the subject of the management of disciplinary matters with a view to detailing them for streamlined training on an annual basis the Public Service Commission will also reap the benefit to circumvent such shortcomings. The Public Service Commission laid emphasis on this matter at

the annual meeting conducted by it having invited the presence of the Additional Secretaries of Ministries.

Also in dealing with appeals made to the PSC by public officers aggrieved under circumstances of varied nature action was taken to make PSC orders in such a manner as to administer justice and fair play with proper analysis of connected details.

Apart from meetings called for with Ministry Secretaries and Heads of Departments on matters pertaining to the PSC after calling them up before the Commission various PSC guidelines and circulars as well as gazette notifications on official matters have been made public during the year under review. In addition, such guidelines and relevant formats have been uploaded in the PSC website for information and easy use by all and sundry.

As there exists delay in taking action and making decisions on documents received by the Public Service Commission due to various lapses in them, the Additional Secretaries of Ministries were invited to the Sri Lanka Institute of Development Administration and an elucidation of matters on how to deal with individual cases was made by way of a One Day Workshop having provided them with the opportunity of getting to know the officers of every Division of the Commission.

05. Details of activities carried out by the Office of the Public Service Commission during the year under review.

In order to exercise powers vested in the PSC by the Constitution following Divisions have been established and geared up for making the required contribution as appropriate.

- ❖ Establishments Division
- ❖ Appointments and Promotions Division
- ❖ Disciplinary Division
- ❖ Appeals Division
- ❖ Administration Division
- ❖ Finance Division

5.1 Establishments Division

Article 61B of the Constitution of the Republic spells out that until the Commission otherwise provides, all rules, regulations and procedures relating to the public service are in force on the date of the coming into operation of such Chapter, shall *mutatis mutandis*, be deemed to continue in force as rules, regulations and procedures relating to the public service, as if they had been made or provided for under such Chapter.

Accordingly the Establishments Division of the Office of the PSC is tasked with providing for rules, regulations and procedures concerning the public service.

The approved cadre for the Establishments Division is as follows:

Additional Secretary	01
Senior Assistant Secretary	01
Assistant Secretary	04
Management Assistant	05

5.1.1 Role of the Establishments Division

- Matters relating to delegation of authority, responsibilities and powers within the scope of the PSC.
- Formulation, Amendment and publication of the PSC Procedural Rules.
- Formulation of guidelines based on the Procedural Rules of the PSC and conducting awareness programmes thereon.
- Issue of circulars, orders and instructions.
- Formulation and amendment of Service Minutes and Schemes of Recruitment concerning the public service.
- Dealing with instances of deviations from the PSC Procedural Rules, Service Minutes, Schemes of Recruitment, Circulars and Orders.
- Dealing with matters not covered by Procedural Rules.
- Development, updating and maintenance of the Database on the public service and dissemination of information.
- Formulation and amendment of the Transfer Schemes of public officers.

5.1.2 Progress Review of the Establishments Division - from 01 January to 31 December 2012

During the period above approval of the Public Service Commission has been granted in connection with following subjects.

	Matter	Total
1	New Schemes of Recruitment	271
2	New Service Minutes	07
3	Amendment to Schemes of Recruitment	15
4	Amendment to Service Minutes	06
5	Schemes of Transfer	10
6	Matters pertaining to SC/AAT/CA	11
7	Circulars	03
8	Requests on deviations from Schemes of Recruitment and Service Minutes in exceptional cases	33
9	Policy Matters	21
10	Matters relating to Procedural Rules of the PSC	17
11	General	80
12	Total	474

Table No. 01

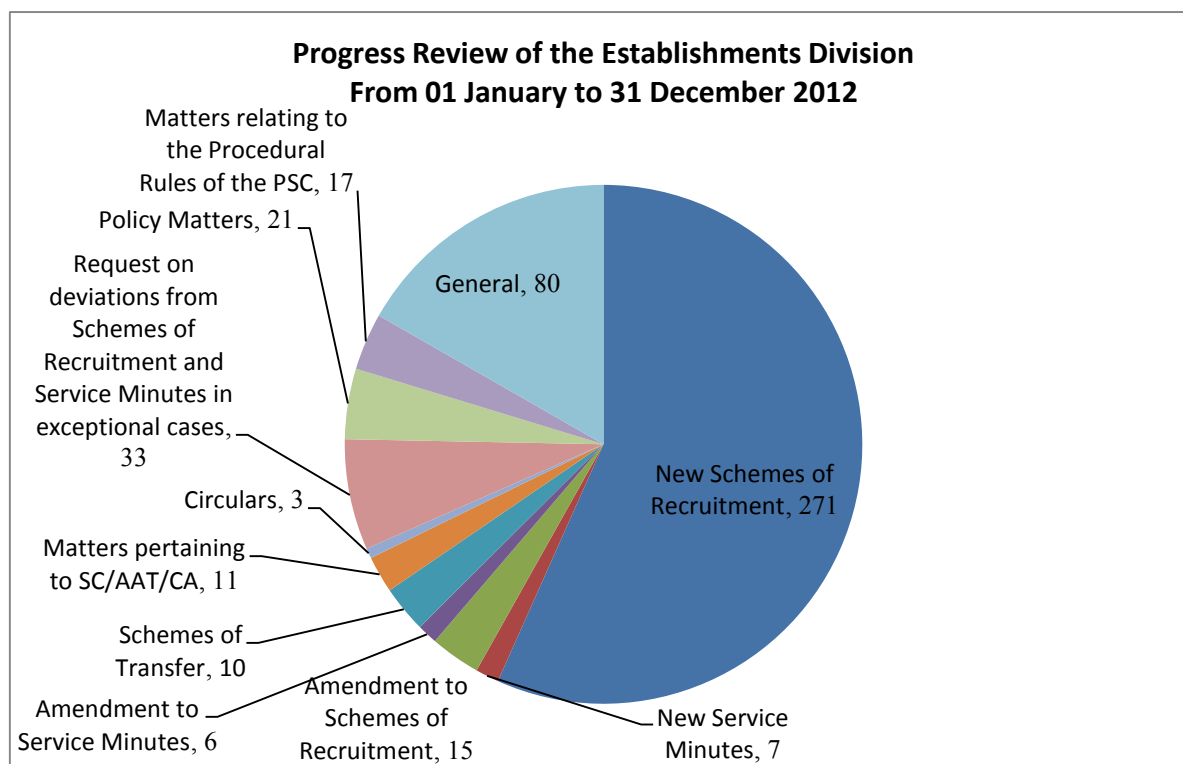


Diagram No. 01

Details of Schemes of Recruitment approved from 01.01.2012 to 31.12.2012

Srl. No.	Ministry	Number approved
1.	Defense & Urban Development	15
2.	Finance & Planning	2
3.	Ports & Highways	8
4.	Buddha Sasana & Religious Affairs	10
5.	Irrigation & Water Resources Management	4
6.	Health	7
7.	Petroleum Industries	1
8.	Livestock & Rural Community Development	3
9.	Water Supply & Drainage	1
10.	Traditional Industries & Small Enterprises Development	1
11.	Local Government & Provincial Councils	8
12.	Industry & Commerce	9
13.	Power & Energy	1
14.	Construction, Engineering Services, Housing & Common Amenities	6
15.	Justice	3
16.	Economic Development	11
17.	National Languages and Social Integration	5
18.	Higher Education	1
19.	External Affairs	1
20.	Public Administration and Home Affairs	12
21.	Parliamentary Affairs	2
22.	Postal Services	7
23.	National Heritage	16
24.	Environment	7
25.	Child Development & Women's Affairs	5
26.	Labour and Labour Relations	1
27.	Education	2
28.	Plantation Industries	4
29.	Fisheries & Aquatic Resource Development	11
30.	Lands & Land Development	4
31.	Social Services	11
32.	Sports	3
33.	Agriculture	4
34.	Mass Media & Information	4
35.	Transport	3
36.	Youth Affairs & Skills Development	6
37.	Cooperatives & Internal Trade	16
38.	Rehabilitation & Prison Reforms	6
39.	Indigenous Medicine	0
40.	Minor Export Crops Promotion	1
41.	Foreign Employment Promotion and Welfare	3
42.	Civil Aviation	1

43.	Coconut Development & Janatha Estate Development	2
44.	Cultural and the Arts	2
45.	Disaster Management	5
46.	Wildlife Resources	11
47.	Resettlement	2
48.	Public Relations & Public Affairs	1
49.	Private Transport Services	2
50.	State Resources & Enterprises Development	4
51.	Telecommunication & Information Technology	0
52.	Technology & Research	7
53.	Productivity Promotion	2
54.	Public Management Reforms	2
55.	Auditor General's Department	1
56.	Presidential Secretariat	4
57.	Prime Minister's Office	0
	Total	271

Table No. 02

• **Service Minutes approved by the Public Service Commission as at 31.12.2012**

1. Service Minute of the Sri Lanka Administrative Service.
2. Service Minute of the Office Employees Service
3. Service Minute of the Sri Lanka Engineering Service
4. Service Minute of the Sri Lanka Auditors Service
5. Service Minute of the Sri Lanka Survey Assistants Service
6. Service Minute of the Printing Service of the Dept. of Govt. Press
7. Service Minute of the Inland Revenue Service.

• **Amendments to Schemes of Recruitment**

Ministry/Department	S.O.R. received for Amendments
Sri Lanka Customs	Customs Officer (SL-01)
Ministry of Ports & Highways	1. Executive Category (SL-01) 2. Director (Engineering/Shipping) (SL-01)
Ministry of Public Administration & Home Affairs	Quantity Surveyor (MT-02)
Ministry of Postal Services	1. Postal Service Officer (MN-03) 2. Sub Post Master (MN-01)
Ministry of Plantation Industries	1. Building Maintenance Office (MN-03) 2. Legal Officer (SL-01) 3. Lorry Assistant (PL-01)
Ministry of Fisheries and Aquatic Resources Development	Director/Deputy Director /Legal Officer (SL-01)
Ministry of Rehabilitation & Prison Reforms	Community Correction Officer (MN -07)
Ministry of National Heritage	Primary Level Semi Skilled Category of Service (PL-02)

Ministry of Industry & Commerce	Executive Category (SL-01)
Ministry of Defense	Executive Category (SL-01)

Table No. 03

- **Amendments to Service Minutes**

1. Service Minute of the Sri Lanka Information & Communication Technology Service
2. Service Minute of the Sri Lanka Accountants Service
3. Service Minute of the Sri Lanka Nursing Service

- **Circulars**

1. (01/2012) Service Minute of the Programme Officers Service made for the officers of the Associate Officers Category of Service
2. (02/2012) Amendment to Section 178 of Volume I of the Procedural Rules of the Public Service Commission
3. (03/2012) Appeals against the disciplinary orders issued by the Cabinet of Ministers during the period when the Public Service Commission remained defunct.

- **Details of Schemes of Transfer finalized as at 31.12.2012**

1. Inland Revenue Service.
2. Sri Lanka Accountants Service.
3. Sri Lanka Planning Service.
4. Assistant Excise Commissioner and Excise Superintendent.
5. Officers of the Forest Conservation Department.
6. Agrarian Development Officers.
7. Sri Lanka Agriculture Service.
8. Scheme of Transfer for Entrepreneurial Development Training Officers and Assistant Directors of the Small Enterprises Development Division.
9. Internal Scheme of Transfer for Assistant Labour Commissioners.
10. Officers of the Sri Lanka Technological Service of the Department of Agrarian Development.

- **Policy Related Matters**

Srl. No.	Matter concerned	Ministry/ Department
1	According a suitable service status for Artists (Contract) who have completed 11 years of service in the State Dancing/Music Troupe.	Culture & the Arts
2	Recruitment on permanent basis (Office Employees Service/Drivers Service)	Justice
3	Request for absorption to Public Management Assistants Service as per P.A. Circular 5/2010 (Mrs. K. Dahanayaka)	Mass Media & Information
4	Examination issues pertaining to failure of 40% from the Examination of Pupil Nursing Officers by the Director of Nursing Education.	Health

5	Request for absorption into Combined Service after getting released from the Post	Dept. of Civil Administration, Sri Lanka Army
6	Transfer to an officer who has been absorbed into Public Management Assistants Service in terms of a Cabinet Decision (Mrs. Kanthi Kottahachchi)	Dept. of Labour
7	Appeal on Salaries of the Post of Technical and Administrative Officer	Survey Deft.
8	Adding up of the temporary service to the permanent service.	Health
9	Reversion to former service (Reversion to the Interpreters Service of the Labour Tribunal)	Justice
10	Seeking advice on the release from public service to semi government service	Dept. of Coast Conservation
11	Approval of MN 05 salary scale as per P.A. Circular 06/2006 for Grade III of the Registrars Service	Dept. of Registrar General
12	Promotions to Class I of the Office Employees Service	Dept. of National Museums
13	Seeking advice for confirmation of appointments concerning several matters at issue in the Teachers Service	Education
14	Adding up of the confirmed period of former service in the post of Survey Field Assistant to the English Diploma Teachers Service (Mr. K.K.D. Sameera Prasanna)	Dept. of Survey
15	Problems concerning the Service Minute of the Public Management Assistant Service	Ministry of Public Administration & Home Affairs
16	Confirmation of Plantation Community Communication Facilitators	Economic Development
17	Request for absorption into Grade I of the Executive Category	Defense & Urban Development
18	Recruitment as Apprentices II B of the Preliminary Technological Service of the Department of Railway	Railway Department
19	Recruitment for the post of Assistant District Valuer Class III / Grade II of the Sri Lanka Technological Service	Finance & Planning
20	Adding up of the period of prior service to the present service	Dept. of Prisons
21	Open Competitive Examination – 2012 for Recruitment to the Field/Office Based Category of Officers, Segment 2	Youth Affairs & Skills Development

Table No. 04

The Establishments Division, apart from the policy matters described above, has attended to matters pertaining to delegation of PSC powers, requests concerning Schemes of Recruitment and deviations from Service Minutes under exceptional circumstances and other cases of general purpose.

5.2 Appointments and Promotions Division

Following functions relating to the appointment and promotion of public officers (other than Ministry Secretaries, Heads of Departments and officers of the Provincial Public Service and Judicial Service) in respect of whom the powers of the Public Service Commission have not been delegated on the direction of the Cabinet of Ministers are carried out by the Appointments and Promotions Division of the PSC.

This Division consists of the following staff.

Senior Assistant Secretary	-	02
Assistant Secretary	-	08
Administrative Officer	-	01
Management Assistant	-	22

5.2.1 Role of the Appointments and Promotions Division

The role played by the Appointments and Promotions Division is divided into two main sections as shown below.

I. Appointments

Recruitment in accordance with the approved Service Minutes/Schemes of Recruitment and Promotion, Confirmation in Service, Termination of Service, Reversion to the former post, Appointment on acting/attending to duties basis, Release (outright/temporary), Recruitment on contract basis, Resignation from service, Reappointment to the Service/Post, Retirement (on optional/compulsory/medical grounds in terms of P.A. Circular 30/88), Reemployment of retired public officers on contract basis, Appointment to Scheduled Posts in the Service Minutes (where applicable).

II. Promotions

Promotions to posts as per approved Service Minutes / Schemes of Recruitment (from grade to grade / on seniority and merit), Appointments to posts (on seniority / on the results of structured interviews).

Dealing with matters pertaining to appeals laid before the Administrative Appeals Tribunal and cases filed in the Supreme Court/Court of Appeal against

orders/decisions made by the Public Service Commission having regard to above functions.

5.2.2. Progress Review of the Appointments and Promotions Division - From 01 January to 31 December 2012

	Matter	Number
1	Absorption	185
2	Appointment to act	563
3	Appointment to posts	258
4	Confirmation	2374
5	Reemployment and Appointment on contract	302
6	Periods of Concession/exemptions for Efficiency Bars	699
7	Promotion from Grade to Grade	2141
8	Promotion on Selections	938
9	Release	281
10	Resignation	71
11	Normal Retirement	812
12	Recruitment (Limited)	186
13	Recruitment (Open)	933
14	Recruitment (Seniority and Merit)	108
15	Appeals received by the Division	253
16	Total	10104

Table No. 05

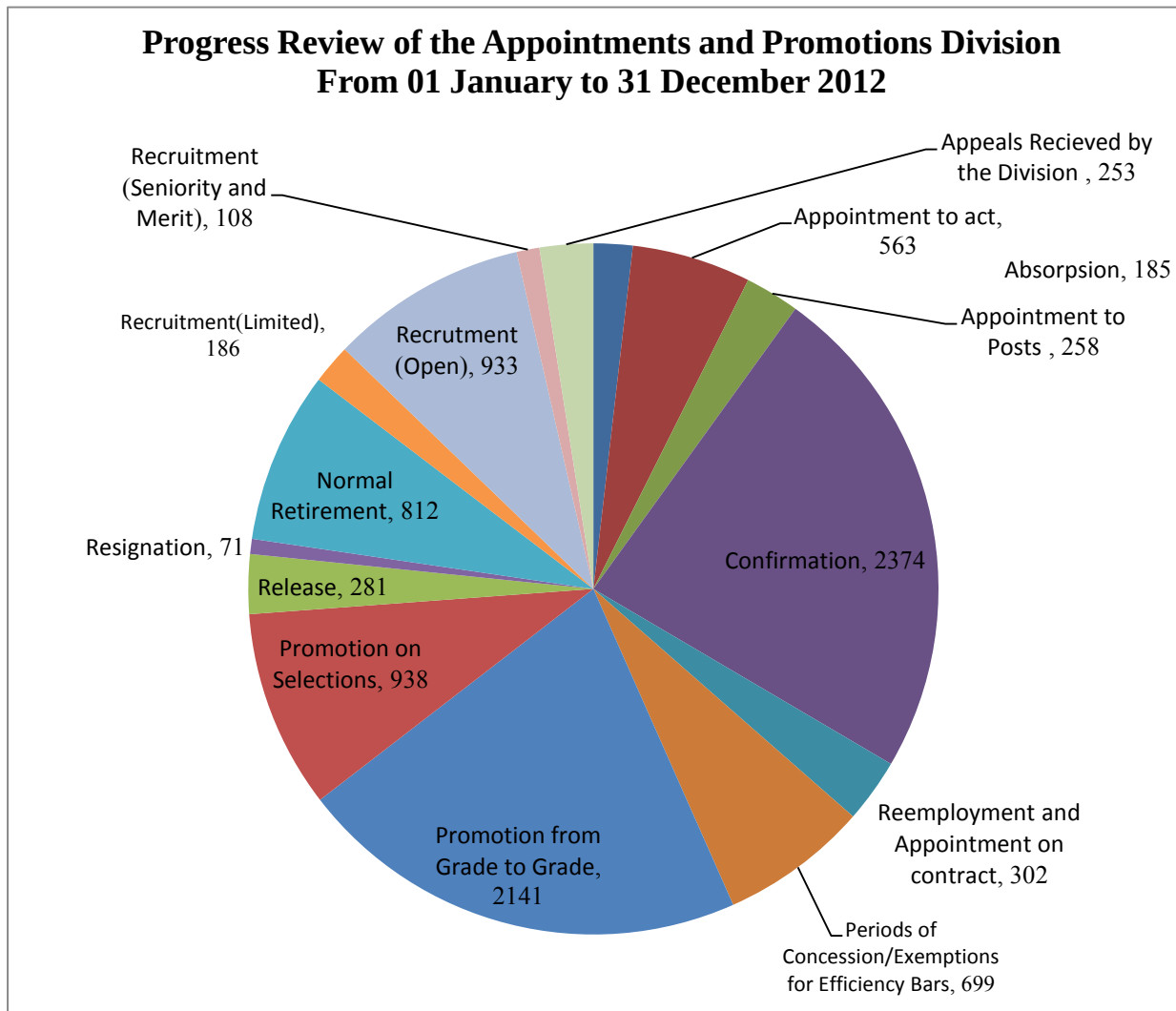


Diagram No.02

Absorption

	Ministry / Department/ Post / Service	Number
1	Ministry of Indigenous Medicine	10
2	Ministry of Finance & Planning	127
3	Ministry of Defense	39
4	Sri Lanka Ayurveda Medical Service	5
5	Sri Lanka Surveyors Service	4
	Total	185

Appointment to act

	Ministry / Department/ Post / Service	Number
1	Additional Secretary	16
2	Ministry of Education	4
3	Ministry of Justice	1
4	Ministry of Construction, Engineering Services, Housing & Common Amenities	4
5	Ministry of Labour & Labour Relations	17
6	Ministry of Industry & Commerce	2
7	Ministry of Agriculture	20
8	Grama Niladhari	31
9	Presidential Secretariat	5
10	Ministry of Technology & Research	2
11	Ministry of Postal Services	35
12	Information Technology Service	1
13	Ministry of Fisheries & Aquatic Resources	4
14	Deputy Solicitor General	4
15	Ministry of Environment	1
16	Ministry of Finance & Planning	53
17	Ministry of Youth affairs & Skills Development	1
18	Ministry of Defense	26
19	Ministry of Public Administration & Home Affairs	122
20	Sri Lanka Scientific Service	3
21	Sri Lanka Education Administrative Service	2
22	Sri Lanka Engineering Service	1
23	Sri Lanka Planning Service	16
24	Sri Lanka Accountants Service	94
25	Sri Lanka Administrative Service	71
26	Sri Lanka Architects Service	23
27	Sri Lanka Medical Service	1
28	Ministry of Health	3
	Total	563

Appointment to posts

	Ministry / Department/ Post / Service	Number
1	Additional Secretary	55
2	Ministry of Education (Principals of National Schools)	30
3	Ministry of Justice	3
4	Commission to Investigate Allegations of Bribery or Corruption	1
5	Ministry of Sports	1
6	Department of Meteorology	4
7	Ministry of Agriculture	1
8	Senior State Counsel	7
9	Senior Assistant Secretary	15
10	Deputy Solicitor General	5
11	Ministry of Transport	2
12	Ministry of Finance & Planning	7
13	Ministry of Defense	3
14	Sri Lanka Scientific Service	4
15	Sri Lanka Medical Service	116
16	Survey General	2
17	Ministry of Health	2
	Total	258

Confirmation

	Ministry / Department/ Post / Service	Number
1	Ministry of Education	14
2	Ministry of Justice	1
3	Ministry of Construction, Engineering Services, Housing & Common Amenities	11
4	Ministry of Labour & Labour Relations	7
5	Ministry of Industry & Commerce	16
6	Department of Meteorology	1
7	Ministry of Agriculture	2
8	Presidential Secretariat	13
9	Department of Valuation	22
10	Ministry of Postal Services	1
11	Ministry of Indigenous Medicine	72
12	Ministry of Fisheries and Aquatic Resources	15
13	System Analyst	1
14	Ministry of Livestock and Rural Community Development	22
15	Ministry of Rehabilitation and Prison Reforms	6
16	Ministry of Finance & Planning	9
17	Ministry of Youth Affairs & Skills Development	11
18	Ministry of Defense	111
19	Ministry of External Affairs	1
20	Ministry of Health	2
21	Sri Lanka Scientific Service	6
22	Sri Lanka Education Administrative Service	119
23	Sri Lanka Ayurveda Medical Service	76
24	Sri Lanka Engineering Service	49
25	Sri Lanka Planning Service	207
26	Sri Lanka Technical Education Service	7
27	Sri Lanka Accountants Service	134
28	Sri Lanka Administrative Service	160
29	Sri Lanka Architects Service	2
30	Sri Lanka Medical Service	1266
31	Sri Lanka Animal Production & Health Service	10
	Total	2374

Reemployment and Appointment on Contract

	Ministry / Department/ Post / Service	Number
1	Prime Minister Office	2
2	Additional Secretary	2
3	Ministry of Justice	29
4	Commission to Investigate Allegations of Bribery or Corruption	1
5	Ministry of Lands and Land Development	16
6	Ministry of Construction, Engineering Services, Housing & Common Amenities	3
7	Unified Postal Service	8
8	Ministry of Labour & Labour Relations	6
9	Ministry of Industry & Commerce	1
10	Grama Niladhari	28
11	Ministry of Mass Media & Information	3
12	Secretariat of Senior Ministers	2
13	Ministry of Technology & Research	1
14	Ministry of Indigenous Medicine	27
15	Ministry of Resettlement	4
16	Ministry of Transport	89
17	Ministry of Livestock & Rural Community Development	2
18	Ministry of Local Government & Provincial Councils	1
19	Ministry of Buddha Sasana and Religious Affairs	2
20	Translators Service	1
21	Ministry of Finance & Planning	3
22	Ministry of Youth Affairs and Skills Development	1
23	Ministry of Defense	2
24	Ministry of Public Administration and Home Affairs	19
25	Ministry of Ports & Shipping	1
26	Ministry of Irrigation	1
27	Sri Lanka Architects Service	2
28	Ministry of External Affairs	5
29	Sri Lanka Engineering Service	2
30	Sri Lanka Planning Service	1
31	Sri Lanka Accountants Service	1
32	Sri Lanka Administrative Service	4
33	Ministry of Health	32
	Total	302

Periods of Concession/Exemptions for Efficiency Bars

	Ministry / Department/ Post / Service	Number
1	Ministry of Education	19
2	Ministry of Justice	66
3	Commission to Investigate Allegations of Bribery or Corruption	1
4	Ministry of Disaster Management	7
5	Ministry of Construction, Engineering Services, Housing and Common Amenities	2
6	Ministry of Agriculture	2
7	Ministry of Agrarian Services and Wild Life	197
8	Ministry of National Heritage	8
9	Ministry of Postal Services	2
10	Ministry of Resettlement	1
11	Ministry of Transport	20
12	Ministry of Livestock and Rural Community Development	10
13	Ministry of Local Government and Provincial Councils	1
14	Ministry of Rehabilitation and Prison Reforms	10
15	Ministry of Finance & Planning	36
16	Ministry of Youth Affairs and Skills Development	4
17	Ministry of Defense	7
18	Ministry of Public Administration & Home Affairs	56
19	Registrar General's Department	67
20	Ministry of Plantation Industries	1
21	Auditor General's Department	6
22	Ministry of External Affairs	4
23	Ministry of Culture and the Arts	1
24	Ministry of Social Services	43
25	Ministry of Health	80
26	Ministry of Productivity Promotion	1
27	Sri Lanka Scientific Service	2
28	Sri Lanka Education Administrative Service	10
29	Sri Lanka Planning Service	6
30	Sri Lanka Technical Education Service	1
31	Sri Lanka Accountants Service	19
32	Sri Lanka Technological Service	8
33	Sri Lanka Administrative Service	1
	Total	699

Promotion from Grade to Grade

	Ministry / Department/ Post / Service	Number
1	Ministry of Industry & Commerce	9
2	Technical Assistants Service	2
3	Ministry of Agriculture	20
4	Senior Superintendent of Police	11
5	Ministry of Postal Services	3
6	Ministry of Fisheries & Aquatic Resources	1
7	Ministry of Transport	2
8	Superintendent of Police II	27
9	Ministry of Finance & Planning	33
10	Ministry of Defense	1
11	Ministry of Irrigation	1
12	Foreign Service	1
13	Sri Lanka Scientific Service	15
14	Sri Lanka Education Administrative Service	23
15	Sri Lanka Ayurveda Medical Service	92
16	Sri Lanka Engineering Service	20
17	Sri Lanka Planning Service	97
18	Sri Lanka Technical Education Service	90
19	Sri Lanka Accountants Service	253
20	Sri Lanka Technological Service	15
21	Sri Lanka Administrative Service	17
22	Sri Lanka Surveyors Service	1
23	Sri Lanka Architects Service	22
24	Sri Lanka Auditors Service	9
25	Sri Lanka Medical Service	1307
26	Sri Lanka Animal Production & Health Service	40
27	Ministry of Health	29
	Total	2141

Promotion on Selections

	Ministry / Department/ Post / Service	Number
1	Sri Lanka Administrative Service (Special Grade)	101
2	Sri Lanka Planning Service 1 (on supernumerary basis)	4
3	Sri Lanka Education Administrative Service (Class I)	14
4	Sri Lanka Technology Service (Special Grade)	72
5	Auditor General's Department	2
6	Ministry of Finance & Planning	
	Sri Lanka Inland Revenue Service	59
	Sri Lanka Customs	29
	Excise Department	10
	Department of Valuation	8
7	Ministry of Health	
	Deputy Director General	2
	Specialist Doctors	132
	Supplementary Medical	121
	Para Medical	20
8	Ministry of Public Administration & Home Affairs	
	Librarian	21
	Department of Registrar General	4
	Public Management Assistants Service (Supra Class)	269
9	Ministry of Culture	
	Sinhala Encyclopedia Editor	1
10	Ministry of Agrarian Services and Wild Life	
	Department of Agrarian Services	5
11	Ministry of Rehabilitation & Prison Reforms	
	Department of Prisons	3
12	Ministry of Postal Services	
	Unified Postal Service	28
13	Ministry of Defense	
	Department of Police	23
14	Attorney General's Department	5
15	Legal Draughtsman Department	5
	Total	938

Release

	Ministry / Department/ Post / Service	Number
1	Ministry of Education	30
2	Ministry of Justice	1
3	Ministry of Land and Land Development	2
4	Ministry of Labour and Labour Relations	1
5	Ministry of Agriculture	5
6	Ministry of Agrarian Services & Wild Life	2
7	Ministry of Transport	1
8	Ministry of Environment	1
9	Ministry of Finance & Planning	17
10	Ministry of Youth Affairs & Skills Development	1
11	Ministry of Defense	2
12	Ministry of Public Administration & Home Affairs	156
13	Ministry of Health	32
14	Sri Lanka Education Administrative Service	7
15	Sri Lanka Engineering Service	1
16	Sri Lanka Planning Service	1
17	Sri Lanka Administrative Service	19
18	Sri Lanka Medical Service	2
	Total	281

Resignation

	Ministry / Department/ Post / Service	Number
1	Ministry of Education	1
2	Ministry of Lands and Land Development	3
3	Ministry of Agriculture	1
4	Ministry of Livestock and Rural Community Development	2
5	Ministry of Finance & Planning	1
6	Ministry of Youth Affairs & Skills Development	1
7	Ministry of Public Administration and Home Affairs	3
8	Presidential Secretariat	3
9	Auditor General's Department	1
10	Ministry of Health	23
11	Sri Lanka Education Administrative Service	11
12	Sri Lanka Engineering Service	1
13	Sri Lanka Planning Service	1
14	Sri Lanka Administrative Service	4
15	Sri Lanka Medical Service	15
	Total	71

Normal Retirement

	Ministry / Department/ Post / Service	Number
1	Ministry of Education	178
2	Ministry of Justice	1
3	Ministry of Disaster Management	1
4	Ministry of Economic Development	1
5	Ministry of Lands and Land Development	30
6	Ministry of Construction, Engineering Services, Housing & Common Amenities	5
7	Ministry of Labour & Labour Relations	19
8	Ministry of Agriculture	27
9	Ministry of Agrarian Services & Wild Life	2
10	Ministry of Mass Media and Information	2
11	Ministry of National Heritage	2
12	Ministry of Postal Services	10
13	Ministry of Fisheries & Aquatic Resources	3
14	Ministry of Transport	13
15	Ministry of Environment	1
16	Ministry of Livestock and Rural Community Development	7
17	Ministry of Rehabilitation and Prison Reforms	4
18	Ministry of Finance & Planning	86
19	Ministry of Youth Affairs & Skills Development	24
20	Ministry of Defense	36
21	Ministry of Public Administration and Home Affairs	141
22	Ministry of Ports and Shipping	1
23	Ministry of Irrigation	4
24	Auditor General's Department	6
25	Ministry of External Affairs	4
26	Ministry of Minor Export Crops Promotion	2
27	Ministry of Health	202
	Total	812

Recruitment (Limited)

	Ministry / Department/ Post / Service	Number
1	Sri Lanka Education Administrative Service (from 2013.01.15)	155
2	Ministry of Labour & Labour Relations	9
3	Ministry of Fisheries & Aquatic Resources	1
4	Ministry of Finance & Planning	19
5	Sri Lanka Engineering Service	2
	Total	186

Recruitment (Open)

	Ministry / Department/ Post / Service	Number
1	Commission to Investigate Allegations of Bribery or Corruption	1
2	Ministry of Construction, Engineering Services, Housing & Common Amenities	1
3	Attorney General's Department	23
4	Sri Lanka Ayurveda Medical Service	265
5	Ministry of Justice	4
6	Sri Lanka Education Administrative Service	42
7	Sri Lanka Engineering Service	139
8	Sri Lanka Medical Service	229
9	Sri Lanka Scientific Service	10
10	Sri Lanka Administrative Service (From 06.02.2013)	45
11	Sri Lanka Technical Education Service	174
	Total	933

Recruitment (Seniority & Merit)

	Ministry / Department/ Post / Service	Number
1	Sri Lanka Education Administrative Service	108
	Total	108

5.3 Disciplinary Division

The Public Service Commission has exercised its administrative powers concerning offences set out in first schedule of Chapter XLVIII of the Establishments Code in relation to staff officers of the Central Government. Apart from this, the Public Service Commission functions as the Appellate Authority over disciplinary control on offences set out in second schedule of Chapter XLVIII of the Establishments Code concerning public officers. The Disciplinary Division, in terms of the aforesaid powers vested in the PSC, extends much needed corporation by way of making observations and recommendations to the Commission in order that it could arrive at decisions when and where necessary. This Division consists of following personnel.

Senior Assistant Secretary	01
Assistant Secretary	05
Management Assistant	15

5.3.1 Role of the Disciplinary Division

This Division handles the disciplinary matters involving officers of the All Island Services and officers coming under the scope of the PSC as stated in the Gazette Notification No. 1733/52 of 25.11.2011 concerning the Delegation of Powers of the Public Service Commission based on the preliminary investigations conducted by the Heads of Departments or Secretaries of Ministries. On receiving a preliminary investigation report to the Disciplinary Division and following a proper study thereon with appropriately constructed observations the Public Service Commission will make a suitable determination on whether charge sheets should be served or not against offending officers. If decided to serve a charge sheet action will be taken to hand over such charge sheet to the officer concerned through the Ministry Secretary and Head of Department. Upon consideration of the answers furnished by the accused officer to such charge sheet and the observations and recommendations thereon made by the respective Head of Department and Secretary of the Ministry a decision will be made as to whether the institution of a formal disciplinary inquiry on the matter is feasible or not.

Where the decision is to institute a Formal Disciplinary Inquiry it is required to be held following the appointment of a suitable Inquiry Officer selected from the Panel of Inquiry Officers maintained by the PSC for such purpose. However if decided against holding a formal disciplinary inquiry the accused officer will either be

exonerated from all the charges or be subject to the imposition of a suitable punishment based on the answers filed by the accused officer and the observations and recommendations thereon by the respective Head of Department and Secretary of the Ministry.

Where a formal disciplinary inquiry is held, the PSC, following the receipt of the report of such inquiry, takes all oral and documentary evidence that were laid before the said inquiry and observations and recommendations of the Administrative Authority of the accused officer into account and makes an appropriate disciplinary order either to exonerate the accused officer from all the charges or to hold him an offender to one or several or all the charges.

Furthermore as a part of the disciplinary procedure an accused officer can be interdicted from service or reinstated in service following his interdiction or he could even be sent on compulsory retirement. If the officer concerned is to be retired from service pending disciplinary action it can be so done by retiring him under Section 12 of the Minute on Pensions.

In addition to these tasks, appeals made by officers of the All Island Services and officers coming under the scope of the PSC as stated in the Gazette Notification No. 1733/52 of 25.11.2011 concerning the Delegation of Powers of the Public Service Commission against vacation of post notices and the observations and recommendations made by the Appointing Authority of those officers on such appeals will be reconsidered by the Commission in deciding whether to appropriately reinstate such officers in service or not.

Appeals laid before the Superior Courts, Administrative Appeals Tribunal, Human Rights Commission, Public Petitions Committee and Ombudsman against the disciplinary orders or decisions made by the PSC on such disciplinary matters would be appropriately dealt with.

It is the onus of the Disciplinary Division to lay before the Commission the cases without any ambiguity having made a thorough scrutiny of all connected documents received in the Division for the Commission to take unbiased decisions.

5.3.2 Progress Review of the Disciplinary Division

From 1 January to 31 December 2012

	Matter	Number of Orders
1	Issuance of charge sheets	119
2	Amendments to charge sheets	09
3	Exoneration from charges	26
4	Dismissal from service	04
5	Other disciplinary punishments	92
6	Reinstatement in service	23
7	Dismissal of appeals	06
8	Retirement under Section 12 of the Pension Minute	22
9	Compulsory retirement	04
10	Interdiction from service	05
11	Appointment of disciplinary inquiry officers	79
12	Conversion of retirement under disciplinary grounds to normal retirement	08
13	Retirements from service	0
14	Other general orders	60
	Total	457

Table No. 06

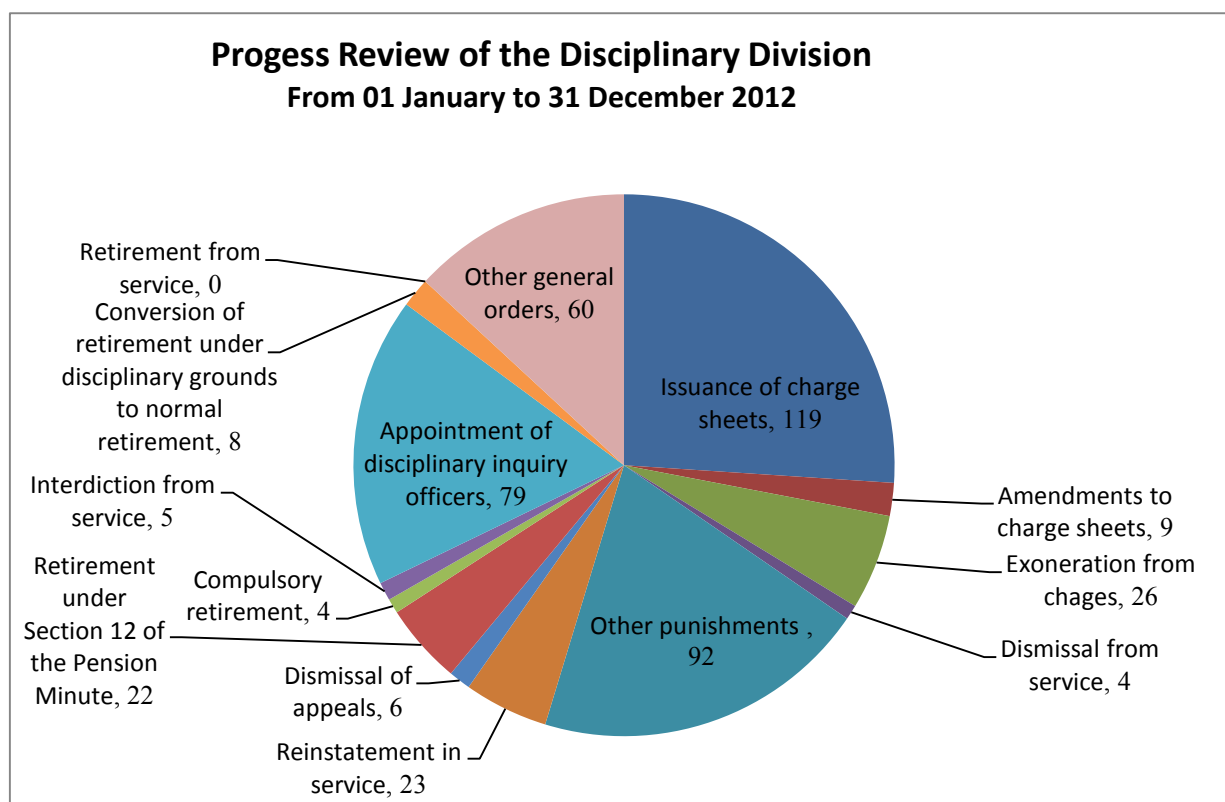


Diagram No. 03

Number of cases pending before the Supreme Court, Court of Appeal and Administrative Appeals Tribunal during the period from 01.01.2012 to 31.12.2012 were as follows.

Supreme Court Cases	-	15
Court of Appeal Cases	-	15
AAT Cases	-	53

5.4 Appeals Division

Article 58(1) of the Constitution provides for public officers aggrieved by an order made by a committee or an officer on whom powers have been delegated by the PSC, right of appeal to the Commission against such order.

Similarly, Article 58(2) provides for PSC, on receipt of such appeal, to grant relief to public officers in an appropriate manner by rescinding or altering or confirming such order having looked into the matter concerned. In accordance with these provisions the Commission constantly receives large number of appeals from public officers. This Division which deals with such appeals consists of following staff.

Senior Assistant Secretary	01
Assistant Secretary	06
Management Assistant	13

5.4.1 Role of the Appeals Division

The authority of appointment, promotion, transfer, disciplinary control and dismissal of public officers as set out in the Gazette Extraordinary No. 1733/52 of 25.11.2011 by the PSC on the specific direction of the Cabinet of Ministers has been delegated in terms of Article 57 of the Constitution.

In terms of Article 58(1) of the Constitution, public officers aggrieved by an order made by a delegated authority referred to above enjoy the right to submit a written appeal to the Commission and the matters pertaining to appeals so made are dealt with by the Appeals Division.

In addition, this Division also handles matters pertaining to the appeals made to Administrative Appeals Tribunal and the applications laid before the Superior Courts against decisions of the Commission concerning the functions above.

5.4.2. Progress Review of the Appeals Division From 01 January to 31 December 2012

	Matter	Number
1	Appeals not received on the due date	1317
2	Appeals being processed on receipt of reports on the due date	281
3	Appeals finalized during 2012	1402
4	No. of court cases during the period	50
5	No. of AAT cases pending during the period	113
6	No. of inquiries from Public Petitions Committee during the period	42

Table No. 07

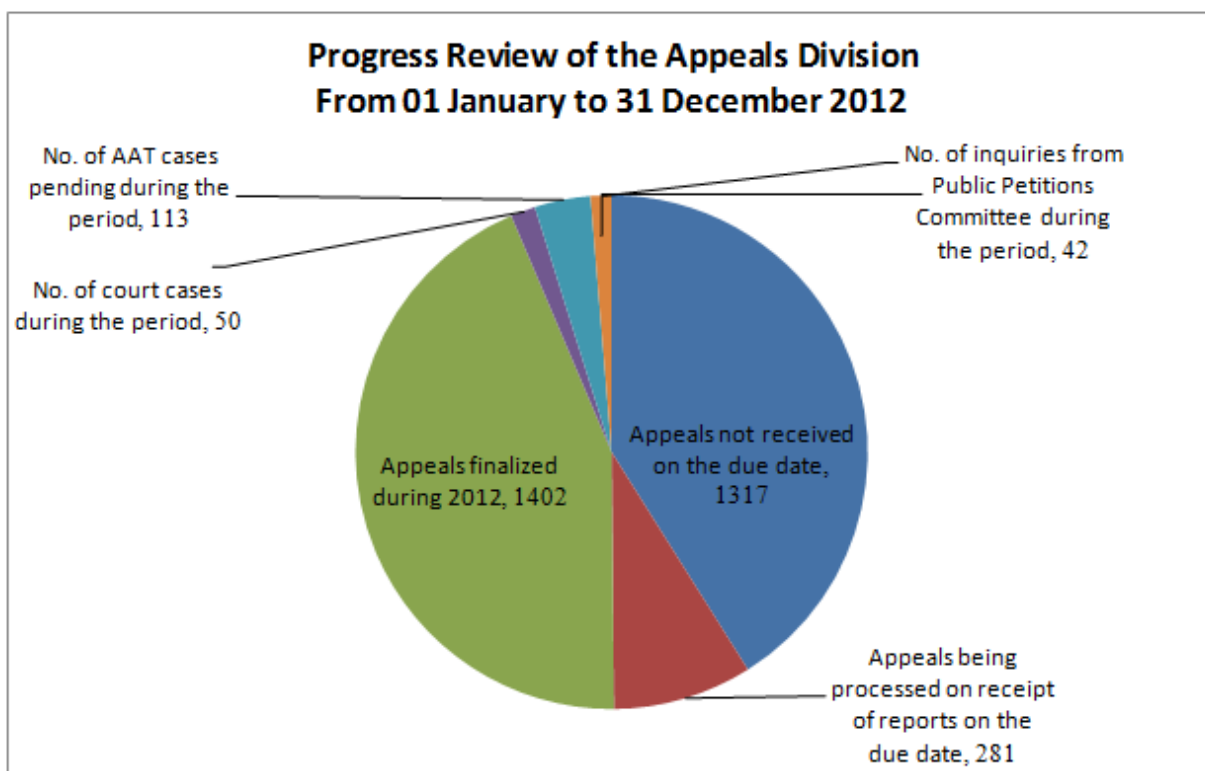


Diagram No. 04

5.5 Administration Division

General administration of the Office of the Public Service Commission is entrusted with the Administration Division. The Additional Secretary (Administration) functions as the Head of this Division.

The Administration Division handles following areas of work:

- Overall administration of the Office of the Commission
- Human resources management of the Office of the Commission
- Activities of information management.

This Division consists of the following staff.

Additional Secretary	01
Assistant Secretary	01
Administrative Officer	01
Translator	02
Management Assistant	11

5.6 Finance Division

This Division provides financial services to the Office of the Commission ensuring an uninterrupted financial information and management system. Following tasks for that purpose are carried out.

- Formulation and implementation of financial plans for the Office of the Commission.
- Supply of goods and services.
- Management of fixed assets.
- Guidelines and advice on financial matters.
- Provision of updated information on activities of the Accounts Division to the Secretary who is the Chief Accounting Officer.
- Co-ordination of financial activities between Divisions.
- Execution of procurement work.

This Division consists of the following staff

Accountant	01
Management Assistant	06

06. Financial Provision

The summary of expenditure of the Office of the Public Service Commission for the period from 01.01.2012 to 31.12.2012 is as follows:

	Allocation	Expenditure	Balance
Recurrent	110,110,000	107,850,644	2,259,356
Capital	18,600,000	15,450,786	3,149,214
Total	128,710,000	123,301,430	5,408,570

Table No. 08

07. Staff

7.1 **Organization Chart**

Please see Annex 03 for Organization Chart.

7.2 **Details of Staff**

During the period under review the approved cadre of the PSC consisted of 195 personnel and the actual cadre strength employed in the Office of the PSC during this particular period was 154. Details of the composition of the staff are as follows:

Secretary	01
Additional Secretary	02
Senior Assistant Secretary	04
Assistant Secretary	26
Accountant	01
Administrative Officer	02
Translator	02
I.C.T. Officer	01
I.C.T. Assistant	01
Public Management Assistant	81
Driver	12
Office Employee	<u>21</u>
Total	<u>154</u>

7.3 Staff Training

With a view to improving subject based knowledge of the staff members of the PSC in language proficiency, technological knowhow and other specialized management skills they were provided with opportunities to participate in different training programmes during the year 2012 as well.

Grade	Course Type	Institute	No. of Officers
Staff Officers	Long Term (Foreign)	Applied Science University, Netherlands	01
Staff Officers	Long Term (Local)	University of Colombo	01
Staff Officers	Short Term (Local)	I.C.T. Agency	03
Staff Officers	Short Term (Local)	SLIDA	03
ICT Assistants Service	Short Term (Local)	SLIDA	01
ICT Assistants Service	Short Term (Local)	University of Colombo	01
ICT Assistants Service	Short Term (Local)	I.C.T. Agency	01
Officers of the P.M.A.S.	Short Term (Local)	PSTI	40
Officers of the P.M.A.S.	Short Term (Local)	ICTAD	01
Officers of the P.M.A.S.	Short Term (Local)	SDFL	01

Table No. 09

08. Number of Cases to which submissions have been made by each Division during 2012

Division	Supreme Court	Court of Appeal	AAT
Establishments	12	01	06
Appointments	46	02	78
Disciplinary	10	10	59
Appeals	30	5	107
Total	98	18	250

Table No. 10

09. Commission Meetings

119 Commission meetings have been held during the period under review from 01.01.2012 to 31.12.2012.

10. Acknowledgement

The Public Service Commission acknowledges with profound gratitude the co-operation and contribution extended by all Secretaries of Ministries and Heads of Departments, particularly,

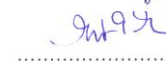
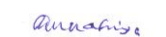
- Presidential Secretariat,
- Office of the Cabinet Ministers,
- Ministry of Public Administration and Home Affairs,
- Ministry of Finance and Planning,
- National Salaries and Cadres Commission,
- Information and Communication Technology Agency, and
- Entire staff of the PSC.

Vidya Jyothy Dr. Dayasiri Fernando	Chairman
Mr. Palitha M. Kumarasinghe PC	Member
Mr. Sirimavo A. Wijeratne	Member
Mr. S.C. Mannapperuma	Member
Mr. Ananda Seneviratne	Member
Mr. N.H. Pathirana	Member
Mr. S. Thillanadarajah	Member
Mr. M.D.W. Ariyawansa	Member
Mr. A. Mohamed Nahiya	Member







Annex 01

Appeals made against PSC decisions by Staff Officers during the year under review.

Complaints laid before AAT

Number pending as at 01.01.2012	Number received during 2012	Total Number received as at 31.12.2012	Number of PSC decisions upheld	Number of PSC decisions revoked	Number pending as at 31.12.2012
33	143	176	50	17	109

Cases filed in the Supreme Court

Number pending as at 01.01.2012	Number received during 2012	Total Number received as at 31.12.2012	Number dismissed and agreed with PSC decisions	Number of PSC decisions revoked	Number pending as at 31.12.2012
44	68	112	18	04	90

Cases filed in the Court of Appeal

Number pending as at 01.01.2012	Number received during 2012	Total Number received as at 31.12.2012	Number of PSC decisions upheld	Number of PSC decisions revoked and relief granted	Number pending as at 31.12.2012
16	13	29	03	02	23 (One case has been dismissed)

- Apart from these appeals number of complaints made to the Parliamentary Commissioner for Administration (Ombudsman) was 02 during the period from 01.01.2012 to 31.12.2012 and reports have been sent to PCA (Ombudsman) for one such complaint.
- Number of complaints made to the Human Rights Commission during the period from 01.01.2012 to 31.12.2012 was 12 and reports have been sent to HRC for all such 12 complaints. Of it 07 complaints have been rejected by the Human Rights Commission.
- Number of complaints made to the Public Petitions Committee during the period from 01.01.2012 to 31.12.2012 was 04 and reports have been sent to PPC for 03 such complaints. One complaint has been rejected.

Annex 02

Appeals made against PSC decisions by Non staff officers during the year under review.

Complaints laid before AAT

Number pending as at 01.01.2012	Number received during 2012	Total Number received as at 31.12.2012	Number of PSC decisions upheld	Number of PSC decisions revoked	Number pending as at 31.12.2012
06	107	113	35	5	73

Cases filed in the Supreme Court

Number pending as at 01.01.2012	Number received during 2012	Total Number received as at 31.12.2012	Number dismissed and agreed with PSC decisions	Number of PSC decisions revoked	Number pending as at 31.12.2012
15	30	45	05	-	40

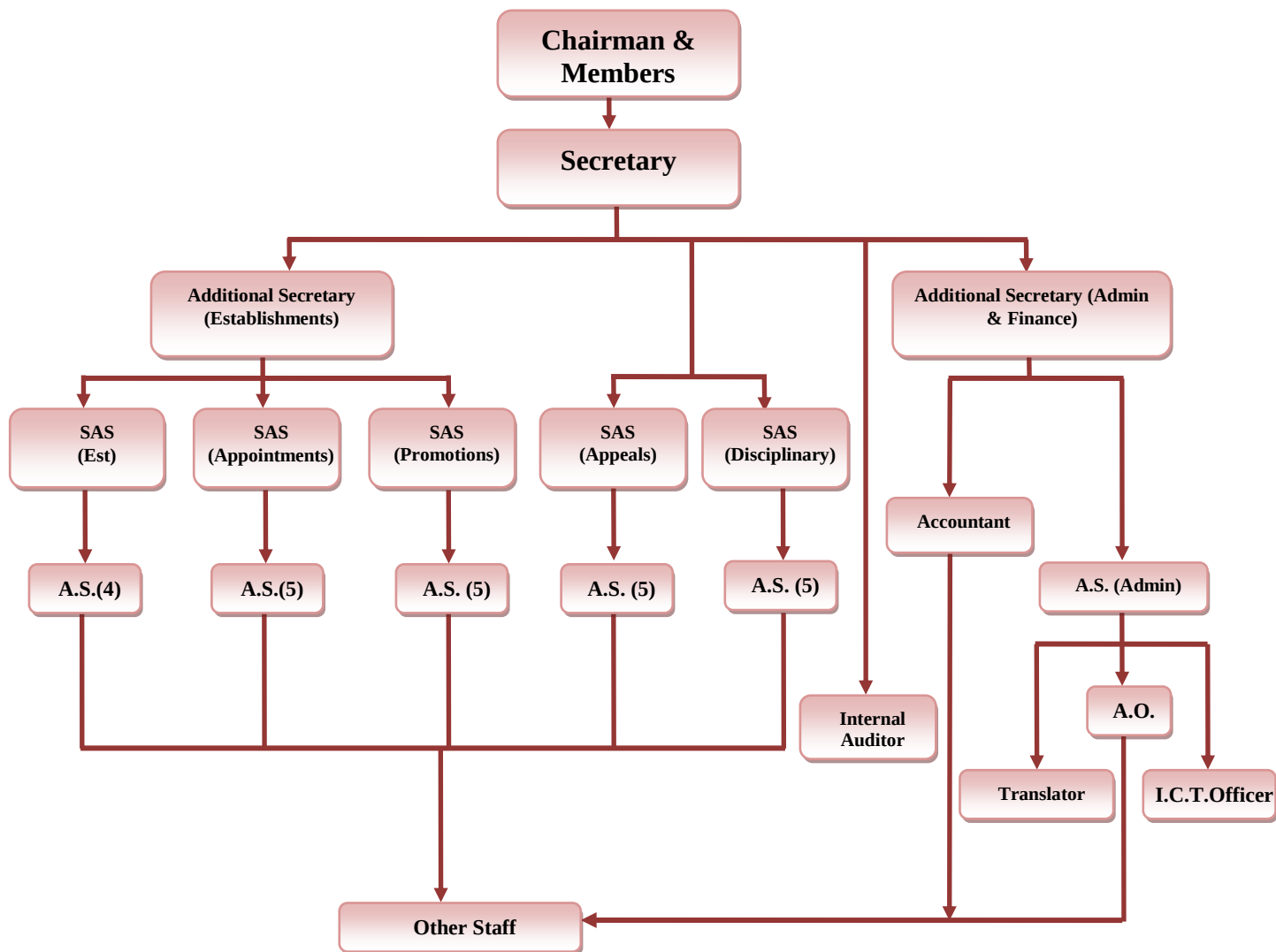
Cases filed in the Court of Appeal

Number pending as at 01.01.2012	Number received during 2012	Total Number received as at 31.12.2012	Number of PSC decisions upheld	Number of PSC decisions revoked and relief granted	Number pending as at 31.12.2012
-	05	02	-	-	07

- No case has been received by the Parliamentary Commissioner for Administration (Ombudsman) during the period from 01.01.2012 to 31.12.2012.
- Number of complaints made to the Human Rights Commission during the period under review was 02 and reports have been sent to HRC for such complaints.
- Number of complaints made to the Public Petitions Committee during the period from 01.01.2012 to 31.12.2012 was 36 and reports have been sent to PPC for all such 36 complaints.

Organization Chart

Public Service Commission

**Note :**

S.A.S - Senior Assistant Secretary
 A.O. - Administrative Officer

A.S. - Assistant Secretary
 I.C.T. Officer - Information & Communication Technology Officer