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The Gazette of the Democratic Socialist Republic of Sri Lanka

අති විශේෂ EXTRAORDINARY

අංක 1733/52 - 2011 නොවැම්බර් 25 වැනි සිකුරාදා - 2011.11.25

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PART I : SECTION (I) — GENERAL

Government Notifications

THE CONSTITUTION OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Delegation of powers by the Public Service Commission in terms of Article 57 as specified by the Cabinet of Ministers

BY virtue of the powers vested in the Public Service Commission in terms of Article 57 of the Constitution of the Democratic Socialist Republic of Sri Lanka, the said Public Service Commission as specified by the Cabinet of Ministers at the Cabinet meeting held on 16th November 2011, does hereby -

1. Delegate to the Public Officers specified in Column II of the Schedule hereto, its power of appointment, promotion, transfer, disciplinary control and dismissal as are specified in Column III of the schedule hereto, in respect of the categories of Public Officers as are specified in Column I of the Schedule hereto.

Provided that in the event of any question arising in respect of any delegation or as to the implementation of delegation made by Public Service Commission so made, the decision of the Public Service Commission shall be final and conclusive.

Provided further that, if the Public Officers specified in Column II is the complainant or a witness or a potential witness at any disciplinary inquiry against a public officer specified in Column I, the Public Service Commission shall notwithstanding any delegation which may have been made by it, continue to exercise its power of appointment, promotion, transfer, disciplinary control and dismissal as are specified in Column III of the Schedule hereto as if no delegation in respect thereof had been made.

2. Specify that all decisions made by a public officer in the exercise of the powers herein delegated to him by the Commission shall be exercised subject to the provisions of Article 58 of the Constitution.
3. Specify that in the exercise of the powers herein delegated, the public officers to whom such powers are delegated shall at all times comply with the Procedural Rules, in respect of appointment, promotion and transfer of public officers, made by the Public Service Commission in terms of Article 61B and 58(1) of the Constitution and also with such conditions and any Rules, Regulations and other Procedures which the said Commission may from time to time determine:

Provided that till such time as the Commission promulgates any Rules, Regulations or Procedure in respect of matters not provided in the said Procedural Rules, all other Rules, Regulations and Procedures relating to public service as were in force on the date of the coming in to operation of the 18th Amendment to the Constitution, shall *mutatis mutandis* continue to be in force and apply to the Public Service as if they have been made or provided by the Public Service Commission.

4. Exercise directly in respect of the public officers not specifically mentioned in the schedule hereto, the powers vested in it in terms of Article 55 of the Constitution:

5. Specify that this delegation will take effect from 1st January 2012 and with effect from same date, the Delegation of Powers published in *Gazette Extraordinary* No. 1295/26 of 2nd of July 2003 by Public Service Commission and the Delegation of Powers published in *Gazette Extraordinary* No. 1449/12 dated 13th of June 2006 by National Police Commission, shall be rescinded, without prejudice to any action taken or purported to be taken under the Delegation of Powers published in the aforesaid *Gazette*.

By order of the Public Service Commission.

T.M.L.C.SENARATHNA,
Secretary,
Public Service Commission.

Office of the Public Service Commission
No. 177, Nawala Road, Narahenpita,
Colombo 05,
25th November 2011.

SCHEDULE
PART 1

DELEGATION OF POWERS- PUBLIC OFFICERS EXCLUDING THE OFFICERS OF SRI LANKA POLICE		
Column I <i>Categories of Officers</i>	Column II <i>Public Officers to whom the powers are delegated</i>	Column III <i>Powers delegated</i>
<p>1. Officers of Class I/ Grade I and above in the following All Island Services</p> <p>(a) Sri Lanka Administrative Service</p> <p>(b) Sri Lanka Engineering Service</p> <p>(c) Sri Lanka Scientific Service</p> <p>(d) Sri Lanka Architects' Service</p>	<p>Secretary to the Ministry of the Minister in charge of the subject of Public Administration</p>	<p>(i) Transfer according to schemes approved by the Public Service Commission.</p> <p>(ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code.</p> <p>(iii) Extension of services beyond the age of 57 years</p>
<p>(e) Sri Lanka Education Administrative Service</p>	<p>Secretary to the Ministry of the Minister in charge of the subject of Education</p>	
<p>(f) Sri Lanka Accountants' Service</p>	<p>A Deputy Secretary to the Treasury nominated by the Secretary to the Treasury and approved by the Public Service Commission</p>	
<p>(g) Sri Lanka Planning Service</p>	<p>Secretary to the Ministry of the Minister in charge of the subject of Planning / An officer not below the rank of an Additional Secretary, nominated by the Secretary and approved by the Public Service Commission</p>	

Schedule (Contd.)

Column I <i>Categories of Officers</i>	Column II <i>Public Officers to whom the powers are delegated</i>	Column III <i>Powers delegated</i>
(h) Sri Lanka Animal Production and Health Service	Secretary to the Ministry of the Minister in charge of the subject of Livestock Development	(i) Transfer according to schemes approved by the Public Service Commission.
(i) Sri Lanka Medical Service	Secretary to the Ministry of the Minister in charge of the subject of Health	(ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code.
(j) Sri Lanka Indigenous Medical Service	Secretary to the Ministry of the Minister in charge of the subject of Indigenous Medicine.	(iii) Extension of services beyond the age of 57 years
(k) Sri Lanka Surveyors' Service	Secretary to the Ministry of the Minister in charge of the subject of Land Surveying	
(l) Sri Lanka Agricultural Service	Secretary to the Ministry of the Minister in charge of the subject of Agriculture	
2. Officers below Class I/ Grade I of the following All Island Services (a) Sri Lanka Administrative Service (b) Sri Lanka Engineering Service (c) Sri Lanka Scientific Service (d) Sri Lanka Architects' Service	Secretary to the Ministry of the Minister in charge of the subject of Public Administration /An Additional Secretary nominated by the Secretary and approved by the Public Service Commission	(i) Transfer according to schemes approved by the Public Service Commission. (ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code. (iii) Extension of services beyond the age of 57 years
(e) Sri Lanka Education Administrative Service	Secretary to the Ministry of the Minister in charge of the subject of Education / An Additional Secretary nominated by the Secretary and approved by the Public Service Commission	
(f) Sri Lanka Accountants' Service	A Deputy Secretary to the Treasury nominated by the Secretary to the Treasury and approved by the Public Service Commission	
(g) Sri Lanka Planning Service	Secretary to the Ministry of the Minister in charge of the subject of Planning / An officer not below the rank of an Additional Secretary, nominated by the Secretary and approved by the Public Service Commission	

Schedule (Contd.)

Column I <i>Categories of Officers</i>	Column II <i>Public Officers to whom the powers are delegated</i>	Column III <i>Powers delegated</i>
(h) Sri Lanka Animal Production and Health Service	Secretary to the Ministry of the Minister in charge of the subject of Livestock Development / An Additional Secretary nominated by the Secretary and approved by the Public Service Commission	(i) Transfer according to schemes approved by the Public Service Commission. (ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code. (iii) Extension of services beyond the age of 57 years
(i) Sri Lanka Medical Service	Secretary to the Ministry of the Minister in charge of the subject of Health / An officer not below the rank of an Additional Secretary, nominated by the Secretary and approved by the Public Service Commission	
(j) Sri Lanka Indigenous Medical Service	Secretary to the Ministry of the Minister in charge of the subject of Indigenous Medicine / An Additional Secretary, nominated by the Secretary and approved by the Public Service Commission	
(k) Sri Lanka Surveyors' Service	Secretary to the Ministry of the Minister in charge of the subject of Land Surveying / An Additional Secretary nominated by the Secretary and approved by the Public Service Commission	
(l) Sri Lanka Agricultural Service	Secretary to the Ministry of the Minister in charge of the subject of Agriculture / An Additional Secretary nominated by the Secretary and approved by the Public Service Commission	
3. Senior Level Officers of Class I and above, as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to All Island Services	Respective Secretary to the Ministry.	
4. Senior Level Officers of below Class I, as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to All Island Services	Respective Secretary to the Ministry / An Additional Secretary nominated by the Respective Secretary and approved by the Public Service Commission	(i) Transfer according to schemes approved by the Public Service Commission. (ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code. (iii) Extension of services beyond the age of 57 years

Schedule (Contd.)

Column I <i>Categories of Officers</i>	Column II <i>Public Officers to whom the powers are delegated</i>	Column III <i>Powers delegated</i>
<p>5. Senior Level Officers, as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to All Island Services and not under a Ministry.</p>	<p>Respective Head of Department</p>	<p>(i) Transfer according to schemes approved by the Public Service Commission.</p> <p>(ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code.</p> <p>(iii) Extension of services beyond the age of 57 years</p>
<p>6. Tertiary Level Supra Grade / Special Grade Officers as defined in Public Administration Circular No. 06/2006 (Annexure II)</p>	<p>Respective Secretary to the Ministry / An Additional Secretary nominated by the respective Secretary and approved by the Public Service Commission</p>	<p>(i) Transfer according to schemes approved by the Public Service Commission.</p> <p>(ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code.</p> <p>(iii) Extension of services beyond the age of 57 years</p>
<p>7. Tertiary Level Supra Grade / Special Grade Officers as defined in Public Administration Circular No. 06/2006 (Annexure II) and not coming under any Ministry</p>	<p>Respective Head of Department</p>	<p>(i) Transfer according to schemes approved by the Public Service Commission.</p> <p>(ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code.</p> <p>(iii) Extension of services beyond the age of 57 years</p>
<p>8. Tertiary Level Officers as defined in Public Administration Circular No. 06/2006 (Annexure II), other than Supra Grade / Special Grade officers</p>	<p>Respective Head of Department</p>	<p>(i) Appointment and Promotion according to approved Schemes of Recruitment / Service Minutes.</p> <p>(ii) Transfer according to schemes approved by the Public Service Commission.</p> <p>(iii) Disciplinary Control and Dismissal</p>

Schedule (Contd.)

Column I <i>Categories of Officers</i>	Column II <i>Public Officers to whom the powers are delegated</i>	Column III <i>Powers delegated</i>
9. Primary Level and Secondary Level Officers as defined in Public Administration Circular No. 06/2006, belonging to the Combined Services.	Director General of Combined Services	(i) Appointment and Promotion according to approved Schemes of Recruitment / Service Minutes. (ii) Transfer according to schemes approved by the Public Service Commission. (iii) Disciplinary Control and Dismissal
10. Primary Level and Secondary Level Officers as defined in Public Administration Circular No. 06/2006, not belonging to the Combined Services.	Respective Head of Department	(i) Appointment and Promotion according to approved Schemes of Recruitment / Service Minutes. (ii) Transfer according to schemes approved by the Public Service Commission. (iii) Disciplinary Control and Dismissal
11. Primary Level, Secondary Level and Tertiary Level Officers as defined in Public Administration Circular No. 06/2006, under the Civil Administration of Sri Lanka Army, Navy and Air Force, not belonging to the Combined Services.	Officer In Charge of Civil Administration in Sri Lanka Army, Navy and Air Force	(i) Appointment and Promotion according to the approved Schemes of Recruitment / Service Minutes. (ii) Transfer according to schemes approved by the Public Service Commission. (iii) Disciplinary Control and Dismissal
12. Class 1 Officers of Sri Lanka Principals' Service in National Schools or Institutions under the Ministry of the Minister in charge of the subject of Education, and Principals of National Schools	Secretary to the Ministry of the Minister in charge of the subject of Education / An Additional Secretary nominated by the Secretary and approved by the Public Service Commission	(i) Transfer according to schemes approved by the Public Service Commission. (ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code. (iii) Extension of services beyond the age of 57 years

Schedule (Contd.)

<p>Column I <i>Categories of Officers</i></p>	<p>Column II <i>Public Officers to whom the powers are delegated</i></p>	<p>Column III <i>Powers delegated</i></p>
<p>13. Following categories of officers of National Schools or Institutions under the Ministry of the Minister in charge of the subject of Education:</p> <p>(a) Officers below Class 1 of Sri Lanka Principals' Service</p> <p>(b) Teachers of Sri Lanka Teachers' Service.</p> <p>(c) Primary Level, Secondary Level and Tertiary Level Officers as defined in Public Administration Circular No. 06/2006, in National Schools or Institutions under the Ministry of the Minister in charge of the subject of Education and not belonging to the Combined Services or any other categories mentioned in this schedule</p>	<p>(1) Secretary to the Ministry of the Minister in charge of the subject of Education.</p> <p>(2) Secretary to the Ministry of the Minister in charge of the subject of Education / An Additional Secretary nominated by the Secretary and approved by the Public Service Commission</p>	<p>(i) Appointment and Promotion according to approved Schemes of Recruitment / Service Minutes.</p> <p>(ii) Disciplinary Control and Dismissal</p> <p>(i) Transfer according to schemes approved by the Public Service Commission.</p> <p>(ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code.</p> <p>(iii) Extension of services beyond the age of 57 years</p>
<p>14. Supra Class Officers of Sri Lanka Grama Niladhari Service</p>	<p>Secretary to the Ministry of the Minister in charge of the subject of Home Affairs / An Additional Secretary nominated by the Secretary and approved by the Public Service Commission.</p>	<p>(i) Transfer according to schemes approved by the Public Service Commission.</p> <p>(ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code.</p> <p>(iii) Extension of services beyond the age of 57 years</p>

Schedule (Contd.)

Column I <i>Categories of Officers</i>	Column II <i>Public Officers to whom the powers are delegated</i>	Column III <i>Powers delegated</i>
15. Officers below Supra Class of Sri Lanka Grama Niladhari Service	(1) Secretary to the Ministry of the Minister in charge of the subject of Home Affairs	(i) Appointment and Promotion according to approved Schemes of Recruitment / Service Minutes. (ii) Disciplinary Control and Dismissal
	(2) Secretary to the Ministry of the Minister in charge of the subject of Home Affairs / An Additional Secretary nominated by the Secretary and approved by the Public Service Commission	(i) Transfer out of District according to schemes approved by the Public Service Commission. (ii) Extension of services beyond the age of 57 years
	(3) Respective District Secretary/ Government Agent	(i) Transfer within the respective administrative District, according to schemes approved by the Public Service Commission (ii) Disciplinary Control excluding Dismissal. (iii) Extension of services beyond the age of 57 years
	(4) Respective Divisional Secretary/ Assistant Government Agent	Transfer within the area of purview of the respective Divisional Secretary/ Assistant government Agent, according to schemes approved by the Public Service Commission

PART 2

DELEGATION OF POWERS- OFFICERS OF SRI LANKA POLICE / DEPARTMENT OF POLICE

Column I <i>Categories of Officers</i>	Column II <i>Public Officers to whom the powers are delegated</i>	Column III <i>Powers delegated</i>
1. Rank of Assistant Superintendent of Police and above	Secretary to the Ministry of the Minister in charge of the Subject of Defence.	(i) Transfer according to schemes approved by the Public Service Commission. (ii) Disciplinary Control in respect of offences specified in the Second Schedule of Offences in Chapter XLVIII of the Establishments Code. (iii) Extension of services beyond the age of 57 years
2. Rank of Chief Inspector of Police and below (including Officers in Charge of Police Stations) Development Assistants, Police Security Assistants, Officers of Civil Support Service, Primary land and Secondary Level Officers as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to the Combined Services.	Inspector General of Police	(i) Appointment and Promotion according to Schemes of Recruitment / Service Minutes approved by the Public Service Commission (ii) Cancellation of enlistment or termination of service during the period of probation. (iii) Transfer according to schemes approved by the Public Service Commission. (iv) Disciplinary Control and Dismissal. (v) Interdiction
3. Rank of Chief Inspector of Police and below Ranks. Development Assistants, Police Security Assistants, Officers of Civil Support Service, Primary land and Secondary Level Officers as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to the Combined services.	(1) Inspector General of Police Senior Deputy Inspector General of Police (Administration).	(i) Confirmation of appointment after period of probation or acting period. (ii) Acceptance or rejection of Letters of Resignation from service. (iii) Extension of services beyond the age of 57 years

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PART I – SEC. (I) GAZETTE EXTRAORDINARY OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA – 25.11.2011

Column I <i>Categories of Officers</i>	Column II <i>Public Officers to whom the powers are delegated</i>	Column III <i>Powers delegated</i>
3. Rank of Chief Inspector of Police and below Ranks. Development Assistants, Police Security Assistants, Officers of Civil Support Service, Primary land and Secondary Level Officers as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to the Combined services.	(2) Inspector General of Police Senior Deputy Inspector General of Police (within the purview of their administrative areas)	(i) Extension of an officer's compulsory acting period over one year, after his promotion to the next higher Rank or Grade or Post. (ii) Extension of period of probation up to a maximum period of three years to complete the efficiency bar requirements
	(3) Senior Deputy Inspector General of Police	(i) Transfer within the respective administrative area of the Senior Deputy Inspector General of Police (<i>excluding Chief Inspectors of Police and Officers In Charge of Police Stations</i>), according to schemes approved by the Public Service Commission. (ii) Disciplinary Control (<i>excluding Chief Inspectors of Police</i>) within the purview of their administrative areas other than - (i) Dismissal, (ii) Cancellation of Enlistment or termination of service within the period of probation. (iii) Consideration of appeals against orders of vacation of post.
	(4) Deputy Inspector General of Police	Transfer within the respective administrative area of the Deputy Inspector General of Police (<i>Excluding Chief Inspectors of Police and Officers In Charge of Police Stations</i>), according to schemes approved by the Public Service Commission.

Column I <i>Categories of Officers</i>	Column II <i>Public Officers to whom the powers are delegated</i>	Column III <i>Powers delegated</i>
<p>4. Rank of Inspector of Police and below.</p> <p>Development Assistants, Police Security Assistants, Officers of Civil Support Service, Primary Level and Secondary Level Officers as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to the Combined services.</p>	<p>Senior Superintendent of Police (<i>Superintendent of Police- Grade I</i>)</p> <p>Superintendent of Police</p>	<p>Transfer within the respective administrative area of the Senior Superintendent of Police (<i>Superintendent of Police- Grade I</i>) / Superintendent of Police (<i>Excluding Officers In Charge of Police Stations</i>), according to schemes approved by the Public Service Commission</p>
<p>5. Rank of Inspector of Police and below</p> <p>Development Assistants, Police Security Assistants, Officers of Civil Support Service, Primary Level and Secondary Level Officers as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to the Combined Services.</p>	<p>Senior Deputy Inspector General of Police</p> <p>Deputy Inspector General of Police,</p> <p>Senior Superintendent of Police (<i>Superintendent of Police - Grade I</i>),</p> <p>Superintendent of Police,</p> <p>Assistant Superintendent of Police.</p>	<p>Interdiction within the purview of respective administrative area.</p> <p>Orderly Room Punishments within the purview of respective administrative area.</p>