

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය

අති විශේෂ

The Gazette of the Democratic Socialist Republic of Sri Lanka EXTRAORDINARY

අංක 1989/29 - 2016 ඔක්තෝබර් මස 19 වැනි බදාදා - 2016.10.19

No. 1989/29 - WEDNESDAY, OCTOBER 19, 2016

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

PUBLIC SERVICE COMMISSION

Delegation of Powers by the Public Service Commission in terms of Article 57 (1) of the Constitution

01. The Public Service Commission in terms of the provisions in Article 57(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka hereby delegates to the Public Officers stated in Column II of the Schedule “A” hereto, the powers set out in Column I thereof.

02. However, where there exists an uncertainty concerning the scope of any delegation of powers made by the Public Service Commission or the discharge of any delegation of powers so made by the said Commission, the decision of the Public Service Commission shall be final and conclusive.

03. Moreover, in the event that a Public Officer referred to in Column II of the Schedule hereto, is either the complainant or a witness or a potential witness at any disciplinary inquiry in respect of an officer belonging to a category set out in the corresponding item in Column I of the Schedule hereto, the powers delegated in respect of such officer shall be deemed to have been rescinded and the Public Service Commission shall exercise the powers so delegated in respect of such officer, as if no such delegation has been made in respect of such officer.

04. The provisions relating to the subject of Education concerning the delegation of powers set out in Part I of the Schedule published in *Gazette Extraordinary* No.1941/41 dated 20.11.2015 as amended by *Gazette Extraordinary* No.1955/22 dated 25.02.2016 that delegated powers in terms of Article 57(1) of the Constitution of the Democratic Socialist Republic of Sri Lanka are hereby rescinded, without prejudice to any action taken or purported to be taken under the Delegation of Powers published in the aforesaid *Gazette*.



SCHEDULE 'A'

| <i>Column I Categories of Officers</i> | <i>Column II Public Officers to whom the powers are delegated</i> | <i>Column III Powers delegated</i> |
|---|---|--|
| 1. Officers of Grade I and above in the Sri Lanka Education Administrative Service | Secretary to the Ministry of the Minister in charge of the subject of Education | I. Disciplinary control in respect of offences in the Second Schedule in Chapter XLVIII of the Establishments Code |
| 2. Officers below Grade I in the 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 | I. Disciplinary control in respect of offences in the Second Schedule in Chapter XLVIII of the Establishments Code |
| 3. Senior Level Officers Class I/ Grade I and above (including officers in the Teacher Educators Service), as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to All Island Services, under the subject of Education in the Ministry of the Minister in charge of the subject of Education | Secretary to the Ministry of the Minister in charge of the subject of Education | I. Disciplinary control in respect of offences in the Second Schedule in Chapter XLVIII of the Establishments Code |
| 4. Senior Level Officers of below Class I/Grade I (including officers in the Teacher Educators Service), as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to All Island Services, under the subject of Education in the Ministry of the Minister in charge of the subject of Education | 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. Disciplinary control in respect of offences in the Second Schedule in Chapter XLVIII of the Establishments Code |
| 5. Officers of Sri Lanka Principals 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 | I. Disciplinary control in respect of offences in the Second Schedule in Chapter XLVIII of the Establishments Code |
| 6. Teachers of Sri Lanka Teachers' Service under the Ministry of the Minister in charge of the subject of Education | 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. Disciplinary control in respect of offences in the Second Schedule in Chapter XLVIII of the Establishments Code |

SCHEDULE 'A' (Contd.)

| <i>Column I Categories of Officers</i> | <i>Column II Public Officers to whom the powers are delegated</i> | <i>Column III Powers delegated</i> |
|--|---|--|
| 7. Tertiary Level Supra Grade / Special Grade Officers as defined in Public Administration Circular No. 06/2006 (Annexure II) under the subject of Education in the Ministry of the Minister in charge of the subject of Education | 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. Disciplinary control in respect of offences in the Second Schedule in Chapter XLVIII of the Establishments Code |
| 8. Secondary Level and Tertiary Level Officers as defined in Public Administration Circular No. 06/2006, not belonging to the Combined Services, under the subject of Education in the Ministry of the Minister in charge of the subject of Education. | 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. All transfers (including annual transfers according to scheme approved by the Public Service Commission) II. Disciplinary control in respect of offences in the Second Schedule in Chapter XLVIII of the Establishments Code |
| 9. Primary Level Officers as defined in Public Administration Circular No. 06/2006, not belonging to the Combined Services, under the subject of Education in the Ministry of the Minister in charge of the subject of Education. | Secretary to the Ministry of the Minister in charge of the subject of Education | I. Appointment and Promotion according to approved Schemes of Recruitment / Service Minutes. II. Disciplinary control in respect of offences in the First Schedule in Chapter XLVIII of the Establishments Code and Dismissal |
| | 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. All transfers (including annual transfers according to scheme approved by the Public Service Commission) II. Disciplinary control in respect of offences in the Second Schedule in Chapter XLVIII of the Establishments Code |

Delegation of Powers by the Public Service Commission in terms of Article 56 (1) of the Constitution

01. The Public Service Commission in terms of the provisions in Article 56 (1) of the Constitution of the Democratic Socialist Republic of Sri Lanka hereby delegates to the Education Service Committee appointed by the Public Service Commission as stated in the Schedule “B” hereto, the powers set out in Column II in respect of the category of officers stated in column I thereof.

02. However, where there exists an uncertainty concerning the scope of any delegation of powers made by the Public Service Commission or the discharge of any delegation of powers so made by the said Commission, the decision of the Public Service Commission shall be final and conclusive.

03. All matters pertaining to the powers delegated to the Education Service Committee that are pending before the Public Service Commission or the Secretary to the Ministry of the Minister in charge of the subject of Education on the date prior to the effective date of this delegation of powers shall, from the effective date of this delegation of powers, be vested in the Education Service Committee.

SCHEDULE ‘B’

| Column I <i>Categories of Officers</i> | Column II <i>Powers delegated</i> |
|--|--|
| 1. Officers of the Sri Lanka Education Administrative Service | I. Appointment and Promotion according to approved Schemes of Recruitment /Service Minutes. II. All transfers (including annual transfers according to scheme approved by the Public Service Commission) III. Disciplinary control and Dismissal in respect of offences in the First Schedule in Chapter XLVIII of the Establishments Code |
| 2. Senior Level Officers (including officers in the Teacher Educators Service), as defined in Public Administration Circular No. 06/2006 (Annexure II), not belonging to All Island Services, under the subject of Education in the Ministry of the Minister in charge of the subject of Education | I. Appointment and Promotion according to approved Schemes of Recruitment /Service Minutes. II. All transfers (including annual transfers according to scheme approved by the Public Service Commission) III. Disciplinary control and Dismissal in respect of offences in the First Schedule in Chapter XLVIII of the Establishments Code |
| 3. Officers of Sri Lanka Principals’ Service | I. Appointment and Promotion according to approved Schemes of Recruitment /Service Minutes. II. All transfers (including annual transfers according to scheme approved by the Public Service Commission) III. Disciplinary control in respect of offences in the First Schedule in Chapter XLVIII of the Establishments Code and Dismissal |
| 4. Teachers of Sri Lanka Teachers’ Service under the Ministry of the Minister in charge of the subject of Education | I. Appointment and Promotion according to approved Schemes of Recruitment /Service Minutes. II. All transfers (including annual transfers according to scheme approved by the Public Service Commission) III. Disciplinary control in respect of offences in the First Schedule in Chapter XLVIII of the Establishments Code and Dismissal |

SCHEDULE 'B' (Contd.)

| Column I <i>Categories of Officers</i> | Column II <i>Powers delegated</i> |
|---|--|
| 5. Following categories of officers under the Ministry of the Minister in charge of the subject of Education: a) Principals in National Schools b) Officers of Grade I and above in Sri Lanka Education Administrative Service and Sri Lanka Teacher Educators Service (excluding Heads of Departments) | Appointment to the Posts and Transfers from such Posts according to approved Schemes of Recruitment /Service Minutes. |
| 6. Tertiary Level Supra Grade / Special Grade Officers as defined in Public Administration Circular No. 06/2006 (Annexure II) under the subject of Education in the Ministry of the Minister in charge of the subject of Education | I. Appointment and Promotion according to approved Schemes of Recruitment /Service Minutes. II. All transfers (including annual transfers according to scheme approved by the Public Service Commission) III. Disciplinary control in respect of offences in the First Schedule in Chapter XLVIII of the Establishments Code and Dismissal |
| 7. Secondary Level and Tertiary Level Officers as defined in Public Administration Circular No. 06/2006, not belonging to the Combined Services, under the subject of Education in the Ministry of the Minister in charge of the subject of Education. | I. Appointment and Promotion according to approved Schemes of Recruitment /Service Minutes. II. Disciplinary control in respect of offences in the First Schedule in Chapter XLVIII of the Establishments Code and Dismissal |

The delegation of powers as herein contained shall come in to force with effect from the 20th day of October, Two Thousand and Sixteen (2016).

By order of the Public Service Commission.,

H. M. GAMINI SENEVIRATNE,
 Secretary,
 Public Service Commission.

Office of the Public Service Commission,
 No. 177, Nawala Road,
 Narahenpita,
 Colombo 05.
 18th October, 2016.

11-134