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## THE CEYLON GOVERNMENT GAZETTE

EXTRAORDINARY

අංක 14,224 — 1964 නොවැම්බර් 12 වැනි බ්‍රහස්පතින්දා — 1964.11.12

No. 14,224 — THURSDAY, NOVEMBER 12, 1964

(Published by Authority)

### PART I: SECTION (I)—GENERAL

#### Government Notifications

L.D.—B. 97/41.

PN. 1783

##### THE MINUTES ON PENSIONS

NOTIFICATION under section 51 of the Minutes on Pensions dated February 5, 1934, as amended by the Minutes on Pensions (Amendment) Act, No. 13 of 1948.

N. M. PERERA,  
Minister of Finance.

Colombo, 12th November, 1964.

##### Notification

The Minutes on Pensions dated February 5, 1934, as amended from time to time, are hereby further amended as follows:—

(1) by the insertion, immediately after section 30, of the following new section:—

“30A (1) Notwithstanding anything to the contrary in these Minutes, but subject as hereinafter provided, where a public servant or daily-paid employee suffers permanent total disablement as a result of an injury received—

- (a) in the actual discharge of his duties;
- (b) without his own default; and
- (c) on account of circumstances specifically attributable to the nature of his duties;

then, he may be granted by way of compensation in respect of such disablement, an amount equal to thirty months' basic salary or basic wages of such public servant or daily-paid employee or ten thousand rupees, whichever ever is greater.

- (2) The amount of compensation payable in respect of the disablement of a public servant or daily-paid employee under sub-section (1) of this section shall be in addition to any allowance granted in respect of such disablement under section 30 of these Minutes or any benefits granted under the Workmen's Compensation Ordinance (Chapter 139), as the case may be.
- (3) No public servant or daily-paid employee shall be entitled to compensation under this section unless a duly constituted medical board appointed for the purpose by the Director of Health Services has examined him and has issued a written report to the effect that such public servant or daily-paid employee has suffered permanent total disablement as a result of an injury referred to in sub-section (1).
- (4) Where a public servant or daily-paid employee who is eligible for compensation under this section in respect of permanent total disablement resulting from an injury dies before compensation is paid, then the compensation due to him shall be paid to his dependants in the manner provided in section 31C of these Minutes as if such public servant or daily-paid employee had died as a result of such injury.
- (5) For the purposes of this section “permanent total disablement” shall mean such disablement of a permanent nature as incapacitates a public servant or daily-paid employee for all work which he was capable of performing at the time of the injury which resulted in such disablement:  
Provided that permanent total disablement shall be deemed to result from the permanent total loss of the sight of both eyes or from any combination of injuries specified in the table set out in section 31A of these Minutes in a case where the aggregate percentage of the loss of earning capacity, as specified in that table against those injuries, amounts to one hundred per cent.
- (6) The provisions of this section shall not apply to any police officer, (including a police driver) who is eligible for compensation in respect of disablement under any regulations made under the Police Ordinance (Chapter 53).
- (7) This section shall be deemed for all purposes to have come into force on the twenty-ninth day of January, 1964; and

(2) by the insertion, immediately after section 31B, of the following new section:—

31C (1) Notwithstanding anything to the contrary in these Minutes, but subject as hereinafter provided, where any public servant or daily-paid employee dies as a result of an injury received—

- (a) in the actual discharge of his duties;
- (b) without his own default; and
- (c) on account of circumstances specifically attributable to the nature of his duties;

then, there may be granted by way of compensation in respect of such death, an amount equal to thirty months' basic salary or basic wages of such public servant or daily-paid employee or ten thousand rupees, whichever is the greater, in the following manner:—

- (i) if the public servant or daily-paid employee leaves a widow and children, such amount shall be paid in the proportion of one-half to the widow and the other half in equal shares to the dependent children;

- (ii) if the public servant or daily-paid employee leaves a widow but does not leave any dependent children, the entirety of such amount shall be paid to the widow ;
  - (iii) if the public servant or daily-paid employee leaves a dependent child or children but does not leave a widow, such amount shall be paid to the child or to the children in equal shares ;
  - (iv) if the public servant or daily-paid employee does not leave a widow or any dependent child, such amount shall be paid to any other dependent or dependents of the deceased in such manner as the Secretary to the Treasury may determine.
- (2) The amount payable under this section in respect of the death of a public servant or daily-paid employee shall be in addition to any pension or pensions payable in respect of such public servant or daily-paid employee under section 31 of these Minutes or any benefits payable under the Workmen's Compensation Ordinance (Chapter 139), as the case may be.
  - (3) For the purposes of this section, the expression " child " shall include a step-child or an adopted child, adopted in a manner recognized by law.
  - (4) The provisions of this section shall not apply to any police officer (including a police driver) in respect of whose death compensation is payable under any regulations made under the Police Ordinance (Chapter 53).
  - (5) This section shall be deemed for all purposes to have come into force on the twenty-ninth day of January, 1964.

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