

Public Administration Circular : 14/2022(I)

My Number: EST-6/03/LEA/3162(1)
Ministry of Public Administration, Home Affairs,
Provincial Councils and Local Government
Independence Square
Colombo 07.

06.09.2022

Secretaries to Ministries
Chief Secretaries of Provinces
Heads of Departments

Granting Leave with No Pay to be Spent in or out of the Island to Public Officers without Causing any Prejudice to the Seniority and Pension

Your attention is drawn to the Public Administration Circular No. 14/2022 dated 22.06.2022 issued on the above matter.

02. Following clarifications/ revisions and provisions should be made applicable regarding the provisions in paragraph 04 of the above circular.

Serial number	Section	Clarifications / Revisions/ Provisions
1	b	The term 'to the Executive Grade' should be rectified as 'to the Senior Level'
2	c	<p>The officers, who have obtained leave with no pay and are subjected to a period of obligatory service, can also obtain leave with no pay as per the provisions of this circular. For the purpose of obtaining such leave, it is not necessary to complete the period of obligatory service relevant to the previous period of leave with no pay.</p> <p>However, the officers who are subjected to a period of obligatory service due to obtaining full-pay study leave and the officers, who have undergone a certain training with government's expense and are subjected to a period of service as per the agreement signed relevant to the training, can obtain leave to be spent out of Sri Lanka in terms of this circular on completion of a half or more from the period of obligatory service/ period of service prescribed by the agreement.</p> <p>The period of obligatory service/ period of service prescribed by the agreement, which is applicable to the previous leave with no pay / leave with full pay / to the training followed with the government's expense, should be completed after reporting for duty at the end of the period of leave obtained under this circular.</p>

Serial number	Section	Clarifications / Revisions/ Provisions
3	d	Leave with no pay up to a maximum period of five years may be approved to the officers, who are not belonging to the senior level and serving in the probation period, as per the provisions of this circular.
4	f	<p>Following provisions are substituted in place of the section (f) of the circular.</p> <p>A suitable arrangement should be made by the officers, who obtain leave with no pay to be spent in Sri Lanka, for the monthly settlement of the installments and the interest of their property loans communicating with the bank, which issued the loan and in the meantime the authority for approving leave should make an arrangement with the concurrence of the relevant institutions for the recovery of other loans including the loans obtained from Advance “B” account either as a lump sum amount or installments/ for the payment of the same to the relevant institutions.</p> <p>Before going abroad on leave with no pay, all the loans issued to the officer by Advance “B” account of public officers should be totally settled and further, action may be taken regarding the other loans in the following manner, if they are not settled totally.</p> <p>Action can be taken to make standing orders communicating with the bank, in which the account is opened, to combine the personal foreign currency account or Rupee account opened as per section 10(o) of this circular, which is used by the officers who obtain leave with no pay to be spent out of the island, for sending their compulsory foreign remittance to the island;</p> <ol style="list-style-type: none"> i. with the bank account, to which the relevant loan installments and interests as well as the contributions of the government relevant to the interest should be sent by the officers, who have obtained property loans, ii. with the accounts, to which the installments and interests should be remitted for all the other loans obtained by the officer except the loans granted by Advance “B” account of public officers, iii. with an account of a certain bank, to which the consent has been given to remit either the balance of the salary or the whole salary by the institution, where the officer serves. <p>A letter/ letters of consent obtained from the bank/ banks, from which the officer has obtained the loan, should be submitted to the authority for approving leave before granting approval for the leave with no pay to be spent out of the island.</p>
5	g	<p>Following provisions are substituted in place of the section (g) of the circular.</p> <p>Action should be taken by the officer to remit the contribution to the Widows’ / Widowers’ and Orphans’ Pension fund to the Director</p>

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		<p>General of Pensions, which is applicable to the basic salary entitled to the day before the date of approval for leave, whenever the officer is out of the Island. Officers, who obtain leave with no pay to be spent in Sri Lanka, should pay the relevant contribution in Sri Lankan currency within that period.</p> <p>The officers, who obtain leave with no pay to be spent out of the island, should take action to make standing orders communicating with the bank in order to combine either the personal foreign currency account or rupee account, which is opened as per section 10 (o) of this circular, or the personal account already maintained in the name of the officer with the account prescribed by the Director General of Pensions to remit the contributions of Widows'/ Widowers' and Orphans' pension fund.</p> <p>These remittances should be made at least once in three months. The officer should keep safely the particulars pertaining to those remittances in order to confirm, that the contributions to the Widows'/ Widowers' and Orphans' Pension Fund have been duly remitted, and further they should be handed over to the head of the institution along with a copy to the Director General of Pensions in order to file these particulars properly in the personal file of the officer.</p>
6	h	<p>Following provisions are substituted in place of the section (h) of the circular.</p> <p>In case where an officer is already abroad on the approved period of leave without pay and expects further to obtain leave with no pay to be spent out of the Island under the conditions stipulated herewith, an opportunity can be granted to such officer for obtaining proper approval for the leave without returning to the country. For this purpose, a written request for the extension of leave with no pay to be spent out of Sri Lanka should be submitted by the officer to the Secretary of the relevant Ministry through the embassy/Office of the High Commissioner of the relevant country.</p>
7	k	<p>An Additional Secretary, who is authorized by the Secretary of the relevant ministry, can also enter into the agreement with the officer, who obtains leave under this circular, on behalf of the Secretary.</p>
8	l	<p>Action should be taken to refer a copy of the monthly reports, which are sent to the appointing authority, to the Additional Secretary (Human Resource Development) of the Ministry of Public Administration, Home Affairs, Provincial Councils and Local Government.</p> <p>In the meantime, the Secretary of the Ministry should submit particulars of the approval for leave as per this circular, which are relevant to the officers holding posts of which the appointing authority is the Secretary or the Head of a Department under the Secretary.</p>

Serial number	Section	Clarifications / Revisions/ Provisions
		<p>When leave to be spent out of Sri Lanka is approved to the officers, who are directed to the posts in provincial public service after recruiting for the training by the Ministry, it is expected that action would be taken by the relevant authorities to provide monthly such particulars also to the relevant Ministries to take further action in this regard.</p> <p>In addition to the above, it is expected to submit the particulars of all the officers, for whom leave is approved as per this circular including the above particulars, also to the Additional Secretary (Human Resource Development) of the Ministry of Public Administration, Home Affairs, Provincial Councils and Local Government</p>
9	m	<p>The authority for approving leave under these provisions is the Secretary of the ministry and it is not necessary to call recommendations from the relevant appointing authority for granting approval for leave.</p> <p>The action to be taken for the implementation of the instructions of this circular in the provincial public service will be introduced by the Chief Secretaries of the Provincial Councils on the instructions and approval of Hon. Governors.</p>
10	o	<p>Following provisions are substituted in place of the section (o) of the circular.</p> <p>Every officer, who is going abroad under the provisions of this circular, <u>should remit either the amounts prescribed below or 25% from the salary earned by the foreign employment</u> through a personal foreign currency account or rupee account opened in the name of the officer in a licensed bank in Sri Lanka.</p> <p>(i) Officers of the Primary Level - Monthly USD 100 (ii) Officers of the Secondary Level - Monthly USD 200 (iii) Officers of the Tertiary Level - Monthly USD 300 (iv) Officers of the Senior Level - Monthly USD 500</p> <p>If the money is remitted to Rupee account maintained in the name of the officer concerned, the officer should keep safely a confirmation obtained quarterly (once in three months) from the licensed bank or financial institution to the effect that prescribed amount has been remitted from abroad to the account.</p> <p>Depositing the amounts prescribed above as a whole or part payment in local currency directly may cause for the deprivation of the privilege, by which the leave with no pay to be spent out of Sri Lanka is taken into account for the calculation of the pension and determining as a period of service for the purpose of seniority.</p> <p>A concessionary period of two months from the date of departure should be given for the remittance and remittances must be made from the third month onwards.</p>

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		The particulars pertaining to the foreign remittance should be kept safely by the officer and such particulars should be submitted by the officer immediately after reporting for duty at the end of the leave to the Head of the institution along with a copy to the Director General of Pensions to be filed in the personal file.

03. The provisions pertaining to the leave in terms of section 16, Chapter XII of the Establishments Code shall be effective further without any change.

04. (a) The Secretary of the Ministry should take action to issue the final decision within a month from the date, on which a certain officer has submitted his/ her application to obtain leave to be spent out of Sri Lanka as per this circular,

(b) At such occasions, where the Secretary of the Ministry rejects a leave application, a certain officer can make an appeal in this regard to the Secretary of the Ministry within two weeks from the date of rejection. For such cases the final decision for such appeal will be issued by the Secretary of the Ministry within two weeks.

05. Further instructions will be issued also by the Director General of Pension regarding the contribution to the Widows'/ Widowers' and Orphans' Pension Fund.

06. This circular will come into effect from 22.06.2022 so as not to cause any prejudice to the decisions taken so far as per Public Administration Circular No. 14/2022 dated 22.06.2022.

07. This circular is issued with the concurrence of the Presidential Secretariat and Ministry of Finance, Economic Stabilization and National Policies.

08. If further clarifications are needed regarding this circular, the Director General of Establishments can be contacted calling to 011-2688330.

Sgd/ M.M.P.K.Mayadunne

Secretary

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