

Public Administration Circular: 30/2014

My No. EST-08/COMPT/02/3000/11

Ministry of Public Administration
and Home Affairs

Independence Square

Colombo 07.

31 .12.2014

Secretaries to Ministries

Chief Secretaries of Provinces

Heads of Departments

Heads of Statutory Boards and State Corporations

**Payment of Compensation to Election Staff that Demise or Undergoes
Injury or Impairment whilst on Election Duty**

An officer serving in Public/ Provincial Council/ Corporation sector or any other person engaged in duties of the elections conducted by the Commissioner of Elections, if he/she undergoes any injury, get into permanent disablement or succumb to injuries,

- I . Whilst on election duty or
- II. Whilst not on duty but in the performance of an act which is generally within the scope of his/ her election duty or
- III. In consequence of any act performed in the execution of his/ her election duties or
- IV. Whilst on a journey for election duties from the service station connecting to the election or whilst on return journey to the same service station or
- V. Whilst on a journey
 - a) Either from the place of residence or substantive service station to the service station for reporting for election duty or
 - b) From the service station to his/her substantive service station after election duty,

he/ she or in the event of the officer's death his/her dependants shall be paid the compensation set out in this Circular.

However, if the officer, at the time of facing such accident,

- I. Has acted in violation of a law or a departmental rule or a regulation and/ or
- II. If there is contributory negligence on the part of the officer, a certain reduction shall be made from the compensation payable.
- III. If the officer has been under the influence of liquor, no compensation shall be paid.

02. The basis for the calculation of compensation to be paid on injury is the loss of earning capacity or permanent deformity of the body following the injury (depending on the nature of the employment).

03. Monetary Compensation

- | | |
|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| I. If the injury results in death | Compensation shall be paid by the Commissioner of Elections to the dependants of the officer on the recommendations of the Board dealing with payment of compensation mentioned in paragraph 8 of this Circular. If the officer has faced with accident under the situation V in paragraph 01 of this Circular, salary of 150 months based on the last drawn salary shall be paid and an amount equivalent to the twofold of the above amount i.e. salary of 300 months, shall be paid if such accident falls under situation I, II, III or IV. |
| II. If the injury results in permanent and total disablement | The officer shall be paid compensations as per I above if the Board dealing with Payment of Compensation mentioned in paragraph 08 of this Circular determines |

that the officer is “totally and permanently disabled” and not fit for the present employment, based on the report of the Medical Board and the recommendation of the Head of the Department.

- III. If the injury results in permanent and partial disablement The compensation to be paid shall be determined by Board dealing with the payment of compensation mentioned in Section 08 of this Circular as percentages of the salary of 60 months based on the percentage of loss of earning capacity determined by the Medical Board as per Annex 01 of this Circular. If the officer has faced the accident under any of the situations I, II, III or IV of paragraph 01 of this Circular, the amount of compensations doubles up. However, at such instances where the patient is not fit for the present employment, the Medical Board will not categorize such patient under this classification. Instead, the Board will report that the patient is not fit for the present employment and is “permanently and totally disabled”.
- IV. If the injury results in temporary and partial disablement The compensation to be paid by the Commissioner of Elections shall be determined as percentages of the salary of 15 months based on the percentage of loss of earning capacity (temporarily) determined by the Medical Board. If the officer has faced the accident under any of the situations I, II, III or IV of paragraph 01 of this Circular, the amount of compensations doubles up. Further the Medical Board will consider the nature of temporary disablement of the patient at the time of injury based on the reports which are possible to obtain at the time of inspection by the Medical Board.

The Regional Director of Health Services shall appoint a Medical Board to determine the nature of the loss of earning capacity and/ or permanent deformity of the patient.

04. Payments to be made in the event of the death of an officer.

- I. As a measure for fulfilling urgent necessities, the Returning Officer of the District shall release, if necessary, an amount of Rs.40,000/- to the widower/widow or children/parents or brothers and sisters performing funeral rites, to be credited to the vote of the Department of Elections in order to bear the expenses of funeral undertakers and to transport the dead body to the home of the demised officer. This is a payment made on non recoverable basis.
- II. The officer concerned is promoted to the next higher grade, if any, from the grade held by the officer at the time of the death.
- III. If the person faced with the accident is an officer in Public Sector, the salary entitled to such officer shall be paid by the Department/ Institution, where the officer served, to the dependants along with salary increments and allowances until the date of reaching the age of 55 years and at such occasions where the post consists of promotions from grade to grade or class to class even after the promotion granted as per II above, the Department/ Institution shall revise the salary granting the relevant promotion considering only the period of time to satisfy the requirements prescribed to obtain such promotion.
- IV. Method for distribution compensation among dependants
 - (a) Spouse - Half of the relevant compensation
 - (b) Children - The remaining half shall be divided equally among children who are treated as the dependants of the officer concerned .i.e.
 1. Unmarried and unemployed children below the age of 26 years

2. Unmarried and unemployed daughters over 26 years of age
3. Handicapped children who are categorized as eligible to receive widows' and orphans' pension

(c) If the spouse has demised before the officer - the total compensation shall be divided equally among the children.

(d) In case where the spouse is the only dependant the whole amount of compensation shall be paid to the spouse.

(e) In case where the officer demised is unmarried, the compensation shall be divided equally among the living parents. However, if any of the parents is dead the whole compensation shall be granted to living parent and at such occasions where both parents are dead, the compensation shall be divided equally among brothers and sisters who can be treated as the dependants of the officer concerned. i.e.

1. Unmarried and unemployed brothers and sisters below the age of 26 years
2. Unmarried and unemployed sisters over 26 years of age
3. Brothers and sisters who are considered as eligible to receive widows' and orphans' pension

Note:-

- I. When a death occurs the returning officer of the relevant district shall immediately inform it to the Commissioner of Elections and the Head of the Department/ Institution to which the officer belonged.
- II. Immediate action shall be taken by the Returning Officer to obtain the Death Certificate and it should be forwarded to the Head of the Department and Institution within fortnight.

III. On receipt of the notification of the Returning Officer and the Death Certificate of the 0.demised officer, the Head of the Department/ Institution shall take immediate action to make relevant payments obtaining provisions from the Commissioner of Elections or from votes of Departments/ Institutions making an arrangement with him to reimburse such provisions.

05. Compensatory Pension

- I. If the age of the officer who demises or becomes permanently and totally disabled due to injuries is below 55 years, the pension of the officer shall be calculated on the assumption that he has retired at the age of 55 years.
- II. If the age of the officer who demises or becomes permanently and totally disabled due to injuries is above 55 years, the pension of the officer shall be calculated on the assumption that he has retired at the age of 60 years. Accordingly the Minute of Pensions shall be revised.

06. Leave

The officer is allowed to obtain leave as per Section 9:1, Chapter XII of the Establishments Code depending on the condition of the injury and the recommendation of the Medical Board.

07. Evidences supportive for the payment of compensation

- (a) I. The officer injured shall seek/ be directed for medical attention immediately and further it should be notified to the Returning Officer promptly.

- II. The Returning Officer shall make an urgent request from the Regional Director of Health Service to submit the officer before a Medical Board.
- III. The Medical Board, Shall send their report containing the category under which the patient falls in terms of the paragraph II of this Circular and/ or the percentage of the loss of earning capacity and/or the percentage of permanent deformity of the body, if any, fitness of the patient to perform his routine duties and leave to be granted to the Head of the Department.

(b) The Secretary of the Ministry in charge of the subject of Health shall inform all instructions to all relevant officers in order to follow these provisions. Further he shall request all medical personnel to store all reports including Bed Head Ticket either in the record room or a safe cabinet for easy reference of the Medical Boards.

(c) Report of the Investigation Committee

The Returning Officer of the District shall appoint a committee consisting of three members chaired by a staff officer for the purpose of conducting an investigation on the accidents. The Committee shall submit a comprehensive report on investigation containing following information (along with the recommendation of the Committee) to the Returning Officer of the District.

- I. If the accident has occurred whilst the officer is on his/her journey to report for election duty or on his/her return journey after performing such duties,
 - (a) Time prescribed for the officer for arrival/departure to/ from the office and the actual time of arrival/ departure
 - (b) The address from where the officer generally report for duty, the distance to the place of accident, the way of traveling, the distance of the travel and the time spent. (Further clarifications shall be made if the accident has occurred at a place away from the normal route)

- (c) Observations regarding the facts indicated in the statements of the officer and the eye witnesses, wherever possible.
- (d) If the accident has occurred on a date before or after the date of election, whether the officer has obtained prior approval to serve on such days.
- (e) If the accident has occurred whilst the officer was driving a motor vehicle/ motor cycle/ any other vehicle, whether valid Driving License, Revenue License and Insurance Coverage are available.

II. Following facts shall be included to the same report if the accident has occurred whilst the officer is in election duties.

- (a) The due time of the officer to report for election duty and the actual time he/she reported for duty
- (b) Whether the accident has occurred either at the time of performing normal election duties or performing any special duty assigned.
- (c) Observations regarding the facts indicated in the statements of the officer and the eye witnesses, wherever possible.
- (d) If the accident has occurred on a date before or after the date of election, whether the officer has obtained prior approval to serve on such days.
- (e) If the accident has occurred whilst the officer was driving a motor vehicle/ motor cycle/ any other vehicle, whether valid Driving License, Revenue License and Insurance Coverage are available.

08. Determining Authority

The Returning Officer of the District shall submit the request for compensation forwarded either by the officer faced with the accident or the dependants of the officer along with the report of the Medical Board, Police Report, Report of the Investigation Committee, any information regarding court cases and other legal activities on the accident, his recommendations and observations of any violations of laws or departmental rules and of any contributory negligence on the part of the officer and other relevant documents to the Commissioner of Elections. The decisions in respect of payment of compensation shall be made by the Commissioner of Elections under IV of paragraph 03 above. The decision regarding the payment of all other compensations shall be determined by a Board consists of Commissioner of Elections, a representative from The Director General of Establishments and a representative from The Director General of Public Finance.

09. The application for compensation shall be submitted to the Commissioner of Elections within one year from the date of accident. Any application for compensation submitted exceeding that duration shall contain the reasons for the delay. Accordingly, only if the Returning Officer is satisfied personally to the effect that the reasons are justifiable, it shall be forwarded along with a report to the Commissioner of Elections.

10. This Circular shall come into effect from 01.12.2014. Accordingly, the Public Administration Circular No 44/91 dated 31.10.1991 will be revoked with effect from 30.11.2014.

Sgd.P.B. Abeykoon

Secretary

Ministry of Public Administration and Home Affairs

ANNEXE I**Schedule - 1**

(Section 2(1))

List of Injuries Deemed to Result in Permanent Partial Disablement

Injury	Percentage loss of earning capacity in general
Permanent and incurable paralysis of the limbs or injuries resulting in being permanently bedridden	100
Permanent incurable loss of mental capacity resulting in total incapacity to work or any other injury causing permanent total incapacity to work	100
EYE INJURIES	
(i) Total loss of sight in both eyes	100
(ii) Total loss of sight in one eye	50
(iii) partial loss of sight in one eye	25
HEARING INJURIES	
(i) Total loss of hearing	60
(ii) Total loss of hearing in one ear	30
(iii) Partial loss of hearing in one ear	15
LOSS OF SPEECH	
(i) Partial loss of speech	75
(ii) Total loss of speech	35
SENSORY LOSS	
(i) Total loss of senses of smell and taste	50
(ii) Total loss of sense of smell	25
(iii) Total loss of sense of taste	25
ARM INJURIES	
(i) Loss of arm at or above elbow	75
(ii) Loss of arm at or below elbow	65
HAND INJURIES	
(i) Loss of both hands	100
(ii) Loss of hand or loss of thumb and 4 fingers	65
(iii) Loss of thumb (both phalanges)	35
(iv) Loss of thumb (one phalanx)	20
(v) Loss of four fingers	60

LOSS OF INDEX FINGER

(i)	Three phalanges	30
(ii)	Two phalanges	20
(iii)	One phalanx	10

LOSS OF MIDDLE, RING AND LITTLE FINGER

(i)	Three phalanges	20
(ii)	Two phalanges	10
(iii)	One phalanx	05

LOSS OF LEG

(i)	At or above knee	75
(ii)	At or below knee	65

FOOT INJURIES

(i)	Loss of both feet	100
(ii)	Loss of one foot	75
(iii)	Partial loss of function of one foot	35

LOSS OF TOES

(i)	Great toe-both phalanges	20
(ii)	Great toe-one phalanx	10
(iii)	Other than great toe, if more than one lost, each	10

MISCELLANEOUS

(i)	Total loss of genitals	75
(ii)	Partial loss of genital	40
(iii)	Sever facial searing or disfigurement	75
(iv)	Sever bodily disfigurement, other than facial searing or disfigurement to a maximum of	50
(v)	Loss of single tooth	05
(vi)	Loss of any member or part thereof not mentioned above (e.g. nose, breast, ear etc.) to be assessed by a Medical Board up to a maximum of	50

NOTE : A maximum of 10% may be recommended for the temporary disablement of the patient at the point of time of receiving the injury by perusing the documents available. Total assessment not to exceed 100% in any one accident.

**துவாල வன்஢ி/஢ிலுலா ஃ஢ுலா ஢ு஢ுலுலுலுலு
காபாங்களுக்கான இழுப்பீடு/படிக்கான விண்ணப்பம்
Application for Compensation/Allowance for Injuries**

1. ஢ு஢ுலுலுலுலுலு ஃ஢ுலுலுலு ஢ு:-
விண்ணப்பதாரியின் முழுப்பெயர்:-
Full name of the applicant:-
- 01.01 ஃ஢ுலு ஃ஢ுலுலுலுலு ஢ு:-
தேசிய அடையாள அட்டை இலக்கம்:-
National Identity Card Number:-
2. ஃ஢ுலு லுலுலு:-
நிரந்தர முகவரி:-
Permanent Address:-
3. ஃ஢ுலு ஢ுலு ஢ுலுலுலுலுலுலு:-
சேவையாற்றும் திணைக்களம்:-
Department serving:-
4. துலாலு ஃ஢ு லு ஢ுலு ஢ுலுலு ஢ுலுலு:-
காபம் ஏற்பட்ட திகதியன்று வகித்த பதவி:-
Post held as at the date on which the injury occurred:-
5. ஢ு஢ுலுலுலு ஢ுலு ஢ுலுலு ஢ுலுலுலு ஃ஢ுலு ஢ுலு ஢ுலு ஢ுலு:-
விண்ணப்பதாரி தற்பொழுது வகிக்கும் பதவியில் ஁றுதிப்படுத்தப்பட்டுள்ளாரா?
Whether the applicant has been confirmed in the post held at present:-
6. ஢ுலுலுலு லுலுலு:-
அலுவலக முகவரி:-
Official Address:-
7. ஢ுலுலுலு ஃ஢ுலு ஃ஢ுலுலு ஢ுலுலு லுலுலு:-
விண்ணப்பதாரி கடமைக்கு அறிக்கையிடுவதற்கு வரும்பொழுது வசித்துவரும்
முகவரி:-
Address of the residence from where the applicant reports for duty:-
8. துலாலு/஢ுலுலு ஃ஢ு லு ஢ுலு, லுலுலு ஃ஢ுலு:-
காபம்/ விபத்து ஏற்பட்ட திகதி, நேரம், இடம்:-
Date, time and place at which the injury/accident occurred:-

9. அனலுரேகி ஸீலலால:-

காலயம்/ விபத்தின் தன்மை:-

Nature of the injury/accident:-

10. அனலுர ஸீடலுலுலு ராசகாரி காலல அனலுரலு? ராசகாரிலுல ஸுலுலுலுலுலுலு டு? ராசகாரிலுல லிலு லீ லாஸஸு லாலுலு டு லன லல:-

விபத்து இடம்பெற்றது விண்ணப்பதாரி கடமையில் இருக்கும் பொழுதா? கடமைக்கு அறிக்கையிடுவதற்கு வரும் பொழுதா? அல்லது கடமையின் பின்பு திரும்பிச் செல்லும் பொழுதா?

Whether the applicant met with the whilst in duty? on the way to reporting for duty? or leaving after duty:-

11. ஁ஸன் டினல:-

பிறந்த திகதி:-

Date of Birth:-

12. லுலாலு/அனலுர ஸீட லு டினல அலுலுலுலுலுலு லலல:-

காலயம் லிகழ்ந்த திகதியன்று விண்ணப்பதாரியின் வயது:-

Age of the applicant as at the date on which the injury occurred:-

13. அனலிலுல ஸீலல கல டினல:-

(அனலிலுல ஸீலல கல டினல லா லுலால ஸீட லு டினல அனல லெனலுல லிலு லல ஸுலு ஸுலுலுலு கல லுலு)

கடமைக்கு அறிக்கையிட்ட இறுதித் திகதி:-

(கடமைக்கு அறிக்கையிட்ட திகதி ஡ற்றும் காலயம் ஏற்பட்ட திகதிக்கு இடையில் வேறுபாடு இருப்பின் தயவுசெய்து காரணத்தினை விபரிக்கவும்).

Last date of reporting for duty:-

(If there is a difference between the last date of reporting for duty and the date on which the injury occurred, please explain reasons)

஁லல ஸடலன் கருலு ஸலா லல ஸலலிக கரலு.

஡ேற்படி விபரலுக் ஁ண்஡ையாக ஁ள்ளன என்று ஡ான் அத்தாட்சிப்படுத்துகின்றேன்.

I certify that the above particulars are true.

.....

அலுலுலுலுலுலு அனலல

விண்ணப்பதாரியின் கையொப்பம்

Signature of the Applicant

தலைப்பைத் தவிர்த்துப் பதிலளிப்பதற்கான இடம்
தலைப்பு: தலைவரின் அறிக்கை
Report of the Head of the Department

14. අනතුර සිදු වූ දිනය:-

காயம் ஏற்பட்ட திகதி:-

Date on which the injury occurred:-

15. වෛද්‍ය මණ්ඩලය වෙත ඉදිරිපත් කළ දිනය:-

மருத்துவர் சபைக்கு விடயம் குறித்துரைக்கப்பட்ட திகதி:-

Date on which the matter was referred to the medical board:-

16. මේ අතර වෙනසක් තිබේ නම් එයට හේතු:-

திகதிகளுக்கு இடையில் வேறுபாடு இருப்பின் காரணங்களைக் குறிப்பிடவும் :-

If there is a difference between the above dates, indicate the reasons:-

17. **අනතුර සිදු වූ දින වන විට ලැබූ මාසික /෧෧දිනික වැටුප්:-**

காயம் ஏற்பட்ட திகதியில் பெறப்பட்டது மாதாந்த / நாள் கூலி:-

Obtained as at the date on which the injury occurred Monthly or daily wages:-

ඒකාබද්ධ වැටුප:-

திரட்டியது :-

Consolidated:-

විශේෂ දීමනා:-

விசேட படி:-

Special Allowance:-

(II) වන්දි ගෙවීමට අදාළ වාර්ෂික වැටුප:-

இழப்பீட்டிற்காகப் பொருத்தமான வருடாந்த வேதனம்:-

Annual Salary applicable for the compensation:-

(II) අනතුර සිදු වූ දින දක්වා ලැබිය යුතු වැටුප සහ වැටුප් වර්ධක ගෙවා තිබේද?

விபத்து ஏற்பட்ட திகதிவரை வேதனம் மற்றும் வேதன ஏற்றங்கள் வழங்கப்பட்டுள்ளதா?

Whether salaries and salary increments have been paid up to the date on which the accident occurred?

18. (I) பரீක්ෂණ නිලධාරියාගේ නිගමනය හා අනතුර සිදු වූ අයගේ සාක්ෂි ඇතුළත් මූලික பரீක්ෂණ වාර්තාව:-

விபத்தினைச் சந்தித்தநபரின் சாட்சியத்தினை உள்ளடக்கி புலனாய்வு

உத்தியோகத்தரின் ஆரம்பப் புலனாய்வு அறிக்கை மற்றும் முடிவு:-

Preliminary investigation report consists of the evidence of the person faced with the accident and the conclusion of the investigation officer:-

(II) වෛද්‍ය මණ්ඩලයේ වාර්තාව:-

மருத்துவர் சபையின் அறிக்கை:-

Report of the Medical Board:-

19. ලැබූ වෛද්‍ය නිවාඩු:-

பெறப்பட்ட மருத்துவ லீவுகள்:-

Medical Leave obtained:-

20. දෙපාර්තමේන්තු ප්‍රධානියාගේ නිර්දේශය:-

திணைக்களத் தலைவரின் பரிந்துரை:-

Recommendation of the Head of the Department:-

අයදුම්කරු තමාගේ රාජකාරි කටයුතුවල නිරතවීමේදී/රාජකාරිය සඳහා පැමිණීමේදී/රාජකාරිය නිම කර ආපසු යන ගමනේදී මෙම අනතුරට මුහුණ පා ඇති බවට සැනීමට පත්වන බවත් ඉහත සඳහන් කරුණු නිවැරදි බවත් සහතික කරමි.

உத்தியோகத்தார் கடமையில் இருக்கும் பொழுது/ கடமைக்கு அறிக்கையிடுவதற்கு வரும் பொழுது/ கடமையின் பின்பு திரும்பிச் செல்லும் பொழுது இந்த விபத்து இடம்பெற்றது என்றும் மேலும் மேற்படி விபரங்கள் உண்மையாக உள்ளன என்றும் நான் அத்தாட்சிப்படுத்துகின்றேன்.

I hereby certify that the officer has met with the accident whilst in his duties/ on the way to reporting for duty, or leaving after duty and further certify the above particulars are correct.

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දෙපාර්තමේන්තු ප්‍රධානියා

திணைக்களத் தலைவர்

Head of the Department

දිනය:-

திகதி:-

Date:-

வன்டி கெவீமே கமிட்டிவீ நிர்தேශය

இழப்பீட்டுக்குழுவின் பரிந்துரை

Recommendation of the Compensation Committee