

36:7 Where the Disciplinary Authority finds the officer guilty of one, some or all of the charges according to the material disclosed at the formal disciplinary inquiry, he should, depending on the nature of the charge or charges of which the officer is found guilty, send his observations and recommendations, without delay, whether the officer should be deprived of his full pension, gratuity and other allowances payable to him or whether a certain percentage thereof should be deducted, together with the charge sheet, report of the Inquiry and all other relevant documents to the Secretary in charge of the subject of Public Administration.

37. Vacation of Post

37:1 Where an officer who has been served with a Notice of Vacation of Post under the provisions of Chapter V of Part I of the Establishments Code intends to tender an appeal against such Notice, such appeal should be tendered to the appropriate authority before the expiry of three months from the date on which the Notice of Vacation of Post was served on him.

37:2 If the Disciplinary Authority considers, in view of the matters represented in the appeal submitted to him in terms of sub-section 37:1 above, that the officer has not reported for duty because of acceptable reasons, he may order the reinstatement of the officer after imposing punishment for not reporting for duty without permission.

37:3 Where the Disciplinary Authority has rejected the reinstatement of the officer, he may appeal against such decision to the Cabinet of Ministers or the Public Service Commission, as the case may be, within six months from the date of such decision.

38. Action to be taken whenever there is inconsistency between texts

In the event of any inconsistency between the Sinhala, Tamil and English texts of this code, the Sinhala text shall prevail.