

To Secretaries of all Ministries,  
Chief Secretaries of Provincial Councils,  
Head of Departments / Commanders of Three Armed Forces,  
District Secretaries / Heads of Local Government Institutions,  
Divisional Secretaries,

**Granting entitlement to pension for appointments which were made after 45 years of**

A large number of applications is being received by the Department of Pensions for the preparation of pension to public officers, who are fallen within the categories such as appointments made to public service beyond the maximum age limit, non completion of 120 months for the purpose of retirement and retirement during the probation period but it has become problematic to grant them the pension right. Since Institutions make constant inquiries on these issues a discussion was held with the Secretary of the Ministry of Public Administration and Management in this regard and your special attention is hereby invited to the clarifications made at the discussion.

(a). It has been notified by Public Administration Circular No 23/94 dated 17.06.1994 that the Government has decided that the maximum age limit for recruitments to public service shall be 45 years and the said limit is not applicable for recruitment made to the professional grades such as Medical officers and Engineers. Therefore any appointment granted without obtaining a policy decision from the Cabinet cannot be accepted as a formal appointment. .

(b). Even though the relevant officers have gone beyond the age of 45 years at the time of granting permanent appointments by Public Administration Circular No 21/2006 dated 06.12.2006, approval has been given to grant them permanent appointments if they have not completed the age of 45 years at the time they were recruited on temporary, casual, substitute and contract basis.

(c). Approval has been given to grant permanent appointments to the graduates who were beyond the age of 45 years at the time of recruiting graduates in year 2012.

(d). Granting permanent appointments also by public administration circular No 25/2014 dated 12.11.2014 to the persons who are beyond the prescribed age. (Age has not been mentioned in the aforesaid circular.)

(e). Since the policy decisions relating to public service are made by the Cabinet, if any institution has granted appointments to the persons over 45 of age due to unavoidable situation such institution shall take action to obtain proper approval strictly from the cabinet for such appointments. .

(f). Most of the appointments beyond the age of 45 years have been granted to the posts at junior level. Therefore the persons who made appointment shall be responsible for them.

02. Since any appointment granted to a person beyond the maximum age limit cannot be accepted as a formal appointment, making of such appointment legal may cause a grave injustice to the appointing authorities, who take correct action in accordance with the Government's policy as well as to those who have lost their employment due to termination of service owing to the decision of appointing authority. Further it has been pointed out such practice may make ground to grant further appointment deviating from the law. .

03. Therefore it is hereby informed that payment of pension to the officers ,who have toiled for the enhancement of public service, can be made without any delay, once I am informed after taking suitable action by paying attention to the above facts relevant to the officers ,who were granted appointments beyond 45 years of age.

**A.Jagath D.Dias**

Director General of Pensions

Copy : Secretary, Ministry of Public Administration and Management