


**Effectiveness of the Public Officer's Disciplinary
Management System in Sri Lanka**

by

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"The work described in this thesis was carried out by me under the supervision of Prof. (Dr.) H.H.D.N.P. Opatha and a report on this has not been submitted in whole or in part to any university or any other institution for another Degree/Diploma".



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"I/we certify that the above statement made by the candidate is true and that this thesis is suitable for the submission to the University for the purpose of evaluation".



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ABSTRACT

In Sri Lanka public sector employment forms a substantial portion in the labour force. As public administration and social welfare is totally concentrated in the hands of the public sector, it becomes very important in all aspects. In this context, enhancing the quality of workers who are attached to the Government sector becomes important. In this study the researcher attempts to discuss the effectiveness of the disciplinary management system that is being used for the public officers and explore into the areas which need changes. It was intended to compare the existing system with a theoretical framework developed by a scholar in the field of Human Resource Management and identify the weaknesses that are inherent in the system. To achieve this objective, a qualitative research was done using fifty public officers and ten departmental heads working in the Magistrates and District Courts in the Kurunegala judicial zone. Fifty public officers were randomly selected irrespective of their job positions. Basically questionnaires and interviews were held to collect information. In addition statistics were obtained from the Ministry of Justice and the Judicial Services Commission to collect other relevant and connected data. Basically the study was conducted in three stages. Firstly, the existing disciplinary management system of the public officers was identified and explained. In the second stage the researcher attempted to introduce a theoretical framework that could be used as a model to evaluate the system. At the third stage, the disciplinary management system of the public officers was analyzed using the evaluative framework discussed in the second stage. Findings of the research disclosed the fact that most of the rule violations of the public officers remained unnoticed or did not deal according to the Establishments Code. On the other hand the system itself inherited several weaknesses which made the entire system ineffective. As a result the Government had not been able to extract the full

benefits that were expected from the system. Thus, in this study the researcher attempted to identify major weaknesses of the system and propose measures to remedy the situations. Therefore it is hoped that these research findings would contribute necessary materials for the policy makers to reshape the system in a more effective manner.

Chapter One

INTRODUCTION

1:1 Introduction

This chapter explains the background of the study, the problem statement, the research questions, objectives of the study, significance of the study, and the limitations of the study.

1:2 Background of the Study

Public service came into being in Sri Lanka during the period of the Governor Fredric North. The first foundation was laid with the assuming of duties of 18 civil servants who arrived here with the Governor. Then the public service was called as Ceylon Civil Service. Their sole objective was, earning more income and reducing the Government expenditure as much as possible.

After gaining independence, the above objectives were changed to a considerable extent. Earlier, by earning more income, they intended to send a big flow of money to Britain. However this system was replaced by introducing a welfare oriented system. As a result the objective of the public service was changed into providing welfare to the society.

Public service was reoriented with the political revolution took place in 1956. S.W.R.D. Bandaranayaka then head of the State emphasized the idea that a, government servant is a public servant who is devoted to serve the general public'. He set himself an example by dedicating himself to the public service throughout his life. Furthermore he paved the way to both lower middle class and poor class to enter into the public service and work in an equal footing. As a result, every body got the opportunity to work in the Government sector, irrespective of their cast, creed or religion. Subsequently, public service was reshaped with drastic changes evolved in the political and economical spheres. There is a popular idea, that the Government sector is not so efficient than the private sector. In order to overcome this situation certain structural changes ought to be introduced to the public sector.

In the above context it is important to enhance the quality of the work force. The quality of an employee depends on various factors, both individual and organizational. Employee discipline inter alia, is one of the major factors which affect the quality and productivity of a worker. Mathis and Jackson (2000) argued that discipline can be positively related to performance, which surprises those who feel that discipline can only harm behaviour. Further, employees may resist unjustified discipline from a manger, but actions taken to maintain legitimate standards actually may reinforce productive group norms and result in

increased performance and feelings of fairness. Therefore any disciplinary system which aims at improving quality and productivity should formulate itself in a manner that would enable the organization to function more efficiently and effectively.

The very purpose of this research is to explore the existing disciplinary management system being followed by the Government sector and to evaluate its effectiveness based on a conceptual framework developed from the current theoretical arguments, research findings and expert opinions. This research study would further deal on the obstacles that one faces in implementing the existing system and its specific weaknesses which would appear in the actual practice. During the study researcher paid a specific attention to examine the reasons behind rule violations. Experiences of public officers, departmental heads, inquiring officers, provided material to this research study. Findings of the research study may be helpful to gather empirical evidence about different aspects of the disciplinary administration of the public sector.

1:3 Problem Statement of the Study

Disciplinary management of the public servants is being regulated by the Volume II of the Establishments Code. Establishments Code had not been revised for fairly a long period of time and therefore its applicability in the modern context is rather questionable.

However no empirical study had been done in this field. Therefore it is high time to evaluate the effectiveness of the existing disciplinary management system.

Thus the research problem of the study was,

Is the disciplinary management system being practiced for public servants in Sri Lanka, an effective one?

1:4 The Research Questions of the Study

In this study the researcher has attempted to find answers to the following questions.

1. What is the existing disciplinary management system being followed by the Government for the public officers?
2. What should be an appropriate system for managing discipline of the public officers?
3. What is the degree of the effectiveness of the existing disciplinary management system for public officers in terms of the theoretical framework developed through literature and expert opinion?
4. What are the suggestions for the improvement of the disciplinary management system for public officers?

1:5 Objectives of the Study

The main objective of the study is to examine whether the existing disciplinary management system being practiced in the State sector for the public officers, is an effective one or not. In order to accomplish the main objective of the study the following specific objectives were formulated.

1. To explore and document the existing disciplinary management system being followed by the Government for the public servants.
2. To present an appropriate system for managing discipline of the public officers.
3. To determine the effectiveness of the existing disciplinary management system for the public officers.
4. Finding out necessary steps that should be initiated to make the existing disciplinary management system more effective and efficient

1:6 Significance of the Study

Majority of the work force in Sri Lanka consist of Government servants. All the welfare facilities needed by the citizens are being provided by the public sector in this country. However little or no attention had been paid so far about the workers who serve in the Government sector. A Government servant has been labeled as a lethargic, unproductive employee, who works merely for monthly salary. There are number of reasons behind this