

## CHAPTER III

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### CHAPTER III

#### RECRUITMENT PROCEDURES AND APPOINTMENTS

##### 1. General

For the purpose of this Chapter;

1.1 "Appropriate Instrument" means any Order, Ordinance, By-law, Regulation or Rule made in accordance with the provisions of the Universities Act No. 16 of 1978 as amended.

1.2 "Appointing Authority" means;

- (a) The President of the Democratic Socialist Republic of Sri Lanka;
- (b) The Minister in charge of the subject of Higher/University Education;
- (c) The University Grants Commission;
- (d) The Governing Authorities of Universities/ University Colleges;
- (e) The Vice-Chancellor of a University/ Director of a University College;
- (f) Governing Authorities of Centres for Higher Learning not affiliated to a university

as are appropriate to appointments stated in the following sub-paragraphs;

1.2.1 The President of the Democratic Socialist Republic of Sri Lanka is the authority for:

The President of Sri Lanka

- (a) the appointment of the Chairman, Vice Chairman and members of the Commission;
- (b) the nomination of Chancellors of Universities,
- (c) the appointment of Vice-Chancellors of Universities

1.2.2 The Minister in charge of the subject of Higher / University Education is the appointing authority for the University Services Appeals Board (USAB), consisting

Minister

of a Chairman, a Vice Chairman and a Member in terms of Section 81; Competent Authority in terms of Section 20 (4) (b); a Specified Authority in terms of Section 70(b) (1) and the First Director of a University College in terms of Section 57(1) of the Act.

1.2.3 The University Grants Commission shall be the appointing authority in respect of the following appointments:

University  
Grants  
Commission

- (a) Secretary of the Commission and such other officers and employees as the Commission may deem necessary [Section 8 (1) of the Act]
- (b) First Registrar and first Bursar of a University and the first Secretary and first Treasurer of a University College in terms of Section 144 and 66(a) of the Act.
- (c) Following staff of Higher Educational Institutions/ Institutes:
  - (i) Posts of officers except where other provisions have been made in the Act as amended, in respect of such posts;
  - (ii) Posts other than teachers as determined by the Commission from time to time, in accordance with the provisions made in Section 71(2) (ii) of the Act.
  - (iii) Any other post, as may be prescribed by Rules, other than the posts of teachers, involving the promotions of the appointees from one grade or class of a post to another.
- (d) Posts of Directors of University Colleges, other than the first Director, from a panel of three

persons recommended by the Board of Management of the University College; [Section 57(2) of the Act as amended].

- (e) Directors of Institutes/ Centres for Higher Learning except where other provisions have been specified in the respective Ordinances under which such Institutes are established.
- (f) Members to Governing Authorities of Higher Educational Institutions/ Institutes where it is so prescribed by the Act/ respective Ordinance.
- (g) The first Dean of the Faculty of Graduate Studies of a University as prescribed by the Faculty of Graduate Studies Ordinance No. 05 of 2020.

1.2.4 The Governing Authorities of Universities/ University Colleges as the case may be shall be the appointing authority in respect of the following appointments:

- (a) The Deputy Vice-Chancellor of a University, with prior approval of the Commission; (Section 35 of the Act).
- (b) First Dean of a new Faculty. However, the subsequent Deans shall be elected by the Faculty Board from among the Heads of the Departments of Study comprising such Faculty [Section 49 (1) of the Act]. The incumbent Dean is also eligible to be elected for a subsequent term of office.

Governing  
Authorities of  
Universities/  
University  
Colleges

First and  
subsequent  
Deans

The Dean of a Faculty of the Open University of Sri Lanka shall be elected by the Faculty Board from among the Senior Professors/

Professors/Associate Professors and Senior Lecturers of the Faculty Board.

- (c) Officers of a University/ University College, viz. Registrar/ Secretary, Bursar/Treasurer (except first Registrar and first Bursar of a University and first Secretary and first Treasurer of a University College), Librarian.
- (d) Heads of Departments of Study as stated in Section 51 of the Act
- (e) Teachers as defined in Section 147 of the Act and Library staff in terms of Section 79 of the Act.
- (f) All other posts in Higher Educational Institutions/ Institutes which are not covered under subparagraph 1.2.3 above.
- (g) Grade to grade promotions in respect of posts for which the power has been delegated by the Commission.

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| 1.2.5 | The appointing authority of a University shall be the appointing authority in respect of the staff of Institutes affiliated to such University.  | Staff of Institutes                              |
| 1.2.6 | The Vice-Chancellor of a University is the appointing authority for the appointment of the Rector of a Campus of the University, if any in terms of Section 36 of the Act.   | Rector   |
| 1.2.7 | The Vice-Chancellor of a University and the Director of a University College are the appointing authorities for appointments to posts other than officers and teachers where such power is delegated to him by the Governing Authority in terms of Section 45(XII) and Section 63(3) of the Act. | Delegated authority to Vice-Chancellor/ Director |

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| 1.3 | “Appointment” is the conferment of any paid office to a cadre position in the service of the Commission / Higher Educational Institution / Institute whether subject to or not subject to subsequent confirmation, either as a first appointment of a person not already in the service of the Commission / Higher Educational Institution / Institute or a subsequent appointment or promotion; or any change of status (i.e. the grant of temporary or permanent status to a casual employee, or permanent status to a temporary employee) in respect of a person in the service of the Commission / Higher Educational Institution / Institute in accordance with the Scheme of Recruitment and the Procedure for Appointment; or promotion from class to class or grade to grade. | Definition of Appointment   |
| 1.4 | “Commission” means the University Grants Commission;  | Commission                  |
| 1.5 | Governing Authority of a Higher Educational Institution means the Council of a University/ Open University and the Board of Management of a University College or similar authority of a Centre for Higher Learning.  | Governing Authority         |
| 1.6 | “Principal Executive Officer” means the Vice-Chancellor of a University /Open University and the Director of a University College/ Institute/ Centre for Higher Learning.   | Principal Executive Officer |
| 1.7 | “Promotion” means an appointment made in accordance with the Scheme of Recruitment and Procedure for Appointment, of an employee of the Commission / Higher Educational Institution /Institute to a post, class or grade which is superior to the post he holds, or to the class or grade he belongs.   | Promotion                   |
| 1.8 | “Scheme of Recruitment” means a scheme to recruit staff to the Commission/ Higher Educational Institutions/Institutes as made and approved by the Commission.   | Scheme of Recruitment       |

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| 1.9  | “Procedure for Appointment” means the procedure to be followed including composition of the Selection Committee, in making appointments to a post as made and approved by the Commission (vide Appendix I).   | Procedure for Appointment:<br>Appendix I |
| 1.10 | “Status in respect of an employee” means whether he is casual, temporary or permanent or on a contract of employment depending on the nature and terms and conditions of appointment.   | Status                                   |
| 1.11 | “Superior post” means a post carrying higher responsibilities and a salary scale with the same or higher initial step and a higher maximum and an annual incremental rate or rates not less than that of the post to which it is compared.  | Superior Post                            |
| 1.12 | “Teacher” means a Senior Professor, Professor, Associate Professor, Senior Lecturer Grade I, Senior Lecturer Grade II, Lecturer, Lecturer (Unconfirmed) and Lecturer (Probationary) and the holder of any post declared by an Ordinance to be a post the holder of which is a teacher. For the purpose of appointment (Section 79 of the Act), a “teacher” includes Librarian, Deputy Librarian, Senior Assistant Librarian Grade I, Senior Assistant Librarian Grade II and Assistant Librarian. | Teacher                                  |
| 2.   | An appointment or promotion can only be made to a post in the approved cadre except in the case of merit promotion as provided for under a scheme approved by the Commission.   | Only to posts in the approved cadre      |
| 3.   | Creation of a new post or an increase in the existing cadre of a post in the Commission should have the approval of the Commission. Creation of a new post or an increase in the existing cadre of a post in a Higher Educational Institution/Institute should have the approval of the Commission on the recommendation of the Governing Authority of the Higher Educational Institution/Institute concerned.  | Authority for creation of posts          |



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| 3.1 | Requests for creation of a new post should be made well in advance before the date on which the post becomes necessary. The application should furnish full information in regard to the need for the new post, including list of duties that would devolve on the new post, whether the duties are of a temporary or permanent nature, why the work cannot be allocated among existing staff, or by making a casual or temporary appointment or by a visiting arrangement and the required cadre in respect of the post. A draft scheme of recruitment including a Job Description should also be forwarded, if the post does not already have an approved scheme of recruitment. The salary scale suggested for the post should be within the salary structure of the University System. The manner in which the salary of the new post would be met until it is provided in the next annual estimates should also be stated. | Creation of new posts                       |
| 3.2 | Requests for increase in the cadre of an existing post should be made at least 3 months before the date scheduled for the submission of expenditure for the ensuing year. The request should state the volume of additional work which necessitates an increase in cadre, the circumstances in which the work increased, and whether the additional work cannot be distributed among the existing staff either by increasing the work and functions. A statement giving the distribution of existing work among the staff should also be furnished.   | Conditions to consider increasing the cadre |
| 3.3 | Requests for new posts of teacher or increase in existing cadre of teachers should be made by the Head of the Department of Study to the Dean who will forward it to the Principal Executive Officer of the institution with his views and comments. The Principal Executive Officer shall make his own observations thereon and place such request before the Governing Authority of the Higher Educational Institution/ Institute for its consideration.  | Channelling of requests for teachers        |

The Governing Authority before whom the request has been placed and if it takes a decision in favour of the request, with modifications if any, send it with such modifications, it thinks fit to the Commission for approval.

- 3.4 Requests for new posts other than for teachers or increase in their existing cadre, should be made by the Secretary of the Commission/ Registrar of the University/ Secretary of the University College/ the most Senior Administrative Officer of the Higher Educational Institute to the Chairman of the Commission/ Principal Executive Officer as the case may be, who shall make his observations thereon and place it before the Commission/ Governing Authority of the Higher Educational Institution. Where the Governing Authority takes a decision in favour of the request or with any modifications, it shall send the request to the Commission with such recommendations.

Channelling of requests for staff other than Teachers

In the case of an Institute such request shall be first considered by the Board of Management and submitted to the Governing Authority of the University to which the Institute is affiliated for appropriate recommendations.

- 3.5 Soon after due consideration and approval of the Commission and appropriate authority according to the existing provisions for creation of a new post, and the Scheme of Recruitment of such post, or for an increase in the cadre of an existing post, steps should be taken to include same under the cadre of the institution in the estimates of the ensuing year.

Inclusion of new posts or additions to cadre in the estimates

4. The designation of a post should be as shown in the approved scheme of recruitment and should appear as such in the estimates, advertisement, and the letter of appointment. The designation should not be changed without the approval of the Commission.

Designation of posts not to be changed

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| 5. All appointments should be in accordance with the approved Scheme of Recruitment published by the Commission. Approval for such scheme should be obtained from the Commission in terms of paragraph 16.1 to 16.5 of this Chapter.   | Appointments should conform to SOR          |
| 6. If due to urgency, a stop-gap casual appointment has to be made to a temporary or permanent post or a substitute appointment to cover the duties of a post in the absence of its substantive holder, only persons eligible for that post under the approved scheme of recruitment should be considered. The prior sanction of the Commission through the Governing Authority should be obtained where a deviation from the approved Scheme of Recruitment becomes necessary in any exceptional circumstances in making a stop-gap casual appointment. | Stop-gap casual appointments                |
| 7. Promotions must be earned by ensuring a satisfactory record of service and by the fulfilment of all the conditions stipulated in the scheme of recruitment such as passing an efficiency bar or qualifying examination, obtaining the prescribed academic, professional or technical qualifications, contribution to research etc., or reaching a prescribed point on the salary scale or completing the prescribed period of service prior to the submission of the application for promotion.   | Promotions must be earned                   |
| 8. The effective date of an appointment or promotion will be the date specified in the letter of appointment or the date on which the person first assumes the duties of his new post, whichever occurs later, subject to paragraph 9 below, but in no case shall it be earlier than the date/s on which the post was created and cadre approved or on which date it was rendered vacant.  | Effective date of appointment/<br>promotion |
| 9. The appointing authority shall not ante-date an appointment on the grounds that the person had been functioning in the post from a date prior to the date of his appointment or on any other grounds without the approval of the Commission.  | Ante-dating of appointments                 |

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| <p>10. If there are any grounds for ante-dating an appointment, an application to do so should be made by the appointing authority to the Commission setting out the reasons. No such application shall be entertained unless in addition to such reasons, the following conditions are also satisfied:</p> <p>10.1 There has been a substantive vacancy in the post from the date to which the appointment is proposed to be ante-dated. For example, the post of a person on leave prior to retirement does not become vacant until his retirement actually takes effect.</p> <p>10.2 On the date on which it is proposed to ante-date the appointment, the person was fully qualified for appointment to the post in terms of the Scheme of Recruitment.</p> <p>10.3 The person should have been performing all the duties of the post continuously from such earlier date on an acting appointment made by the appropriate appointing authority and on a letter of appointment duly issued to that effect.</p> <p>10.4 The selection for substantive appointment should have been made in terms of the method of recruitment laid down in the Scheme of Recruitment and the Procedure for Appointment.</p> | <p>Reasons for antedating appointments</p> |
| <p>11. Ante-dating in terms of paragraph 9 above shall not in any case be allowed in the following circumstances:</p> <p>11.1 If such ante-dating will result in the person concerned gaining seniority over a person appointed before him to the same grade or post, or in disturbing the seniority placement made at the selection for such appointment;</p> <p>11.2 If the substantive appointment had been made on the results of a competitive examination such as a written test/aptitude test/practical test etc.;</p> <p>11.3 If the substantive appointment has been made with requisite authority outside the Scheme of Recruitment.</p>   | <p>Ante-dating is not allowed</p>          |

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| 12. In the case of promotions from class to class or grade to grade of a service which are regulated by a fixed ratio if available between the classes or grades, the promotion may, subject to the Scheme of Recruitment, take effect from the dates on which the vacancies occurred, provided that where the appointing authority considered that no suitable person is available for promotion to fill the vacancy immediately, he may direct that the vacancy be filled by promotion with effect from a future date specified by him. The effective date of promotion of a person so promoted will be the date so specified.  | Effective date of<br>certain<br>promotions    |
| 13. If a person who receives a promotion is prevented from assuming duties of his new post by reason of temporary release to some other post or to a post outside the Commission/Higher Educational Institution/ Institute or on any form of approved leave, the date, from which the promotion will become effective would be the date of assumption of duties in the promoted post. However, the effective date of such promotion may be backdated to the date of fulfilling all the requirements for promotion concerning certain posts as determined by the Commission from time to time. In such instances, the person shall resume duties in order to be considered for such promotion. | Effective date of<br>assumption of<br>duties  |
| 14. The effective date of passing an examination conducted for the purpose of confirmation, promotion or an Efficiency Bar, etc. where applicable, will be the commencing date of that examination at which the person completes the examination successfully.  | Effective date of<br>passing<br>examination   |
| 15. All appointments to posts other than that of teacher and other posts specified in sub paragraph 1.1 of Chapter IV in the Commission / Higher Educational Institutions / Institutes are made subject to the condition that appointees are liable to be transferred to the Commission or any Higher Educational Institution or Institute. Letters of appointments should stipulate this as a condition of appointment.  | All<br>appointments<br>subject to<br>transfer |

## 16. Scheme of Recruitment

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| 16.1 | For every post in the Commission/Higher Educational Institution/ Institute or where such post belongs to a grade or service, for every such grade or service there should be a Scheme of Recruitment drawn up and approved by the Commission. All such schemes shall be published by the Commission in a document titled "Approved Schemes of Recruitment". New schemes that would be introduced and or revisions made to existing ones would be incorporated at the time of revision of such document. | Scheme for every post                      |
| (a)  | If draft Scheme of Recruitment in respect of a post in the academic support staff is required, such scheme should be drawn up first by the Dean of the Faculty in consultation with the relevant Departments of Study and submit to the Governing Authority for consideration.  | Academic support staff                     |
| (b)  | If draft scheme in respect of a post in the non-academic staff is required, such scheme should be drawn up first by the Registrar/ Secretary of the Higher Educational Institution concerned and submit to the Governing Authority for consideration.   | Non-academic staff                         |
| 16.2 | If a draft scheme in respect of a post belonging to a grade or service in the non-academic staff is required, such scheme should be drawn up by the Secretary of the Commission in consultation with the Higher Educational Institutions/ Institutes.   | Grade or service in the non-academic staff |
| 16.3 | Where it is considered necessary to amend an approved Scheme of Recruitment, the application to the Commission should be accompanied by a statement of the reason for the proposed amendment and an amended draft scheme.   | Amendments to the Scheme of Recruitment    |

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| 16.4 | The suggested salary scale of a post as given in the draft scheme should be within the over-all wage and salary policies of the Government and of Higher Educational Institutions/ Institutes. In exceptional circumstances where the suggested salary scale does not conform to the above salary structure, a statement giving the circumstances in which such a salary scale is recommended should be sent to the Commission. | Salary Scale to conform to existing salary structure                      |
| 16.5 | All draft schemes drawn up by Higher Educational Institutions/ Institutes should be forwarded to the Secretary of the Commission with recommendations of the Governing Authority.   | Draft scheme to be forwarded to the Commission                            |
| 16.6 | The Secretary of the Commission will, upon the direction of the Chairman, obtain the views of any appropriate Committee functioning in an advisory capacity in the Commission and place the draft scheme together with the views of the appropriate Committee before the Commission for approval. The Commission may approve the scheme, amend it, or require revisions to be made.   | Approval of the Commission  |
| 16.7 | Where substantial changes in the qualifications or salary scale, etc. of an existing post are proposed or where the draft scheme in respect of a new post embodies substantial changes in the general pattern of existing schemes or involved a novel principle, the Commission may consult any appropriate authority before such scheme is considered for approval.  | Where substantial changes are made  |
| 16.8 | Once approved, the Secretary of the Commission shall forward to the Higher Educational Institution/Institute concerned the approved scheme of recruitment for compliance. The changes made to the existing Scheme of Recruitment or the new Scheme of Recruitment shall be intimated to all Higher Educational Institutions/Institutes by way of a circular.  | Approved scheme to be sent to Higher Educational Institutions/ Institutes |

- 16.9 The approved Scheme of Recruitment should not be changed to meet transitory problems such as temporary shortage of persons with the qualifications stipulated therein. No deviations to meet transitory problems
- 16.10 Provisions of sub-paragraph 16.1 to 16.8 shall apply to applications under sub paragraph 16.3 and 16.9 for deviations from or amendment to the Scheme of Recruitment.
- 16.11 Schemes of Recruitment in respect of posts in the Commission and in Higher Educational Institutions/ Institutes approved by the Commission will be issued by the Commission from time to time.

## 17. Advertisements for Vacant Posts

- 17.1 All vacancies in the Commission and Higher Educational Institutions/Institutes should be advertised except as otherwise prescribed in the Scheme of Recruitment approved by the Commission or where the post has to be filled as provided in the Act or the relevant ordinance or in accordance with government policy. All vacancies to be advertised
- 17.1.1 Advertisements may be;
- (a) Internal advertisements (i.e. among the staff of the Commission/ Higher Educational Institutions/ Institutes); or
  - (b) Public advertisements
- 17.2 Vacancies should be advertised internally as per sub-paragraph 17.1.1 (a) above in respect of; Internal Advertisement
- 17.2.1 All promotions where applicable; and
- 17.2.2 Vacancies for posts which are filled by recruitment, wholly or in part, from within the Commission / Higher Educational Institutions or Institutes.
- Internal advertisements should furnish full particulars of the vacant post as appearing in the approved scheme of



recruitment and any other information which is considered useful to the applicant. Instructions regarding the channelling of the application, the designation and address of the officer to whom the application should be sent and the closing date should be given. Application forms or a specimen where considered necessary be included.

- 17.3 Vacancies should be advertised publicly in print and/or other electronic media in respect of all cases other than those mentioned in the exception in sub-paragraph 17.1. Provided however, that in the case of non-academic vacancies which are publicly advertised, should in the first instance be advertised internally when required in terms of Schemes of Recruitment to give an opportunity to persons within the Commission or Higher Educational Institutions/ Institutes with the requisite qualifications to be considered.

Public  
advertisement

17.3.1 The Press advertisement may be confined to newspapers approved by the Government.

17.3.2 It should be brief, giving the designation of the vacant post, the date of closing of applications and the designation and address of the officer from whom application forms and full particulars of the post may be obtained, and to whom the application should be forwarded.

17.3.3 Advertisement should be in Sinhala, Tamil and English as considered necessary.

17.3.4 Instructions should be given to newspapers in regard to the display of the advertisement.

- 17.3.5 Advertisements should be under the designation of the Secretary of the Commission/Registrar of a University/Secretary of a University College.
- 17.3.6 A comprehensive notice inviting applications for the post giving full particulars of the post as appearing in the approved Scheme of Recruitment, particulars of documents to be attached and any other information which is considered useful, should be prepared. Where the selected candidate is liable for transfer between Higher Educational Institutions/Institutes and the Commission Secretariat according to exigencies of service, this fact should be included in the notice. The date of closing of applications, designation and address of the officer to whom the application should be sent, and a warning that applications received after the stipulated closing date will not be entertained should be included. This notice should be sent along with the specimen application form designed by the institution concerned when requests are made by prospective applicants in response to the advertisement.

The specimen application form should provide space for the applicant to give details of any outstanding obligations by way of bonds and agreements arising out of his previous appointment/s.

- 17.4 At the discretion of the Appointing Authority, advertisements may also be made in Sri Lanka Government Gazette. The Procedure for advertisements in printed media given in subparagraph 17.3.2 to 17.3.6 should be followed

Advertisement  
in Govt. Gazette

where appropriate, in case of advertisements made in electronic media and Government Gazette also.

- 17.5 No member of the University Grants Commission or the Governing Authority should serve as a referee for an applicant to any post in the Commission or in any Higher Educational Institution/Institute. Where a member of the Commission or the Governing Authority has been cited as a referee, the officers inviting applications should inform the applicant that he should nominate another suitable person in place of the member of the Commission / Governing Authority.
- Referees not members of the Commission / Governing Authority

## 18. Procedure for Recruitment and Promotion

- 18.1 As soon as it is known that a vacancy in the cadre of the Commission / Higher Educational Institution / Institute has arisen or will arise as a result of the creation of a new post, the appropriate appointing authority shall take action to recruit the staff required to fill the vacancy with the approval of the appropriate authority.
- Recruitment by appointing authorities
- 18.1.1 Where the Commission is the appointing authority of a post in a Higher Educational Institution/ Institute, the Principal Executive Officer of the institution should report the vacancy to the Commission.
- Reporting of vacancies
- 18.1.2 Where the Commission is the appointing authority of a post in a Higher Educational Institution/ Institute, but requires the respective Higher Educational Institution/ Institute to forward the recommendation for appointment to such post in terms of Section 71(2)(ii) of the Act, the Principal Executive Officer of the institution having completed the due procedure shall
- Vacancies in Higher Educational Institutions/ Institutes

forward the recommendations of the Selection Committee along with the approval of the Governing Authority to the Commission for making the necessary appointments.

- 18.1.3 In the case of an Institute affiliated to a University, the Principal Executive Officer of the Institute should take steps to have the vacancy filled and make recommendations to the Governing Authority of the University to which the Institute is affiliated following the provisions specified in the Scheme of Recruitment and Procedure for Appointments.
- 18.2 Approved Schemes of Recruitment should indicate clearly the method of recruitment to be followed in respect of each post; and in the case of temporary Tutors/Demonstrators/Instructors etc., Governing Authority of Higher Educational Institutions/Institutes are empowered to adopt a method of recruitment which they consider suitable in each case. Appointing Authorities should adhere strictly to the approved schemes in recruiting their staff. Method of recruitment
- 18.3 Posts filled by advertisement
- 18.3.1 Where a post is filled by calling for applications by public advertisement or by internal advertisement among the staff of the Commission/Higher Educational Institutions/Institutes, provisions of paragraph 17 should be adhered to in regard to method of advertisement.
- 18.3.2 Applications received in response to the advertisements for the posts of Senior Professor/Professor/Associate Professor and Librarian shall be valid for one and a half years from the closing date of Validity of advertisement

applications. For any other post it is one year from the closing date of applications. All Universities/Institutes should finalize selections by an appropriate selection committee for submission to the Governing Authority within the period mentioned above. The time taken by the Governing Authority for approving the selection is not included in the validity period as defined above.

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| 18.3.3 | Applications in response to advertisements whether internal or public should have been received not later than the last date and time stipulated in the advertisement for the receipt of applications. The applications should be date-stamped as they are received and should be in the custody of a senior officer.<br>When in doubt about the date of receipt of application, the date on which the application was sent under registered cover should be considered as the date of receipt of such application. | Last date for receipt of applications |
| 18.3.4 | Applications received after the stipulated last date and time should also be date stamped on receipt, but should be kept physically separate as they shall not be taken up for consideration.   | Late applications                     |
| 18.3.5 | The Secretary of the Commission/ Registrar of a University/ Secretary of a University College/ most senior officer in the administrative staff of an Institute/Centre for Higher Learning should cause a schedule of eligible applicants (i.e. those who satisfy all the requirements set out in the advertisement) to be prepared, which should be checked by him personally or by a senior officer of the administrative staff.   | Eligible applicants                   |

- 18.3.6 Late applications and applications which do not satisfy all the requirements set out in the advertisement shall be rejected. Such applications should be scrutinized carefully to ensure that an eligible applicant is not by any inadvertence rejected. Rejected applications should not be destroyed but should be safely stored for a period of one year after selections are completed to enable any complaints to be checked by the appointing authority or the University Services Appeal Board.
- When there are a large number of applications received in response to an advertisement, appropriate short listing method may be undertaken with the approval of the appointing authority provided such short listing method is specified in the advertisement.
- 18.3.7 Selection Committees, appointed by the Appointing Authority in accordance with the provisions of the procedure for appointments approved by the Commission vide Appendix 1, should be provided with copies of advertisements and schedules containing names and information furnished by candidates in their application forms, at least a week before the date of interview for selection.
- 18.3.8 Eligible candidates should be informed by registered post and by any other accepted communication method well in advance of the interview, the place, date and time of the interview, and of the documents they should produce at the interview.
- A clause to the effect that, no travelling or other expenses incurred by the
- Rejected applications
- Selection Committees to be apprised
- Notice to appear for interview

applicant when attending the interview should also be included in the letter calling an applicant for the interview.

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| 18.3.9  | A knowledgeable senior officer of the administrative staff should be in attendance at meetings of Selection Committees for advice and production of any documents required by the Selection Committee.  | Official in attendance                                  |
| 18.3.10 | The personal files of internal candidates appearing before a Selection Committee should be made available to the Committee for reference where necessary.   | Personal files of internal candidates                   |
| 18.3.11 | Where a written examination of a general nature and/ or a practical test/ trade test/ an aptitude test is considered desirable by the appointing authority or is prescribed in the Scheme of Recruitment for any post, the Principal Executive Officer shall in consultation with the Head of the appropriate Department appoint a person or a panel of persons competent in the field of knowledge applicable to the post, drawn either from within or outside the institution, or both, to test the applicants, prior to the interviews are held. Only the candidates who have scored above the threshold mark shall be called for the interview. The detailed results of such tests should be made available to the Selection Committee at the time of the interview. The Selection Committee will thereafter interview the candidates for the post. | Written or practical test etc.                          |
| 18.3.12 | The Commission/Higher Educational Institutions/Institutes shall use mark sheets based on duly designed marking schemes and approved by the Governing Authority for recruitment/promotion to   | Selection Committee to be furnished with mark schedules |

every post in the Commission/ Higher Educational Institutions/ Institutes. Approval for such marking schemes should have been obtained prior to conducting the interview for a particular post.

- 18.3.13 On receipt of the recommendations of the Selection Committee based on the results of the test and/or the interview as the case may be, the Secretary of the Commission/Registrar or the most senior officer in the administrative staff of the Higher Educational Institution/Institute as the case may be, shall submit the recommendations to the appointing authority for its decision.

#### 18.4 Promotions

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|--------|---|-------------------------------------|
| 18.4.1 | Where a teacher is to be promoted either by way of merit or by normal promotion in terms of the Scheme of Recruitment, the teacher shall make an application to the Principal Executive Officer through the Head of his Department of Study and the Dean of the Faculty concerned for promotion as soon as he qualifies for promotion in every respect in terms of the Scheme of Recruitment. The application should furnish the date on which each requirement for promotion was satisfied by him, supported by documentary evidence, where necessary. In the case of Library Staff the application for promotion should be forwarded through the Librarian. | Promotion of a teacher              |
| 18.4.2 | In the case of Academic Support Staff the application for promotion should be made in accordance with the Scheme of Recruitment having fulfilled all the requirements for promotion to the Principal Executive Officer through the respective Heads of Departments of   | Promotion of Academic Support Staff |



Study/Divisions/Centres/Units and the Dean of the Faculty concerned as applicable.

- 18.4.3 In the case of employees in Executive Grades other than Administrative and Financial Officer categories, the application for promotion should be made in accordance with the Scheme of Recruitment having fulfilled all the requirements for promotion to the Principal Executive Officer through the Head of the Department of Study/Divisions/Centres/Units and the Dean of the Faculty concerned /Registrar as applicable. Other Executive Grades
- 18.4.4 The Secretary of the Commission/ Registrar of a University /Secretary of a University College shall call for applications by internal advertisement at least once a year, from those who are eligible for promotions of the non-academic staff, in terms of the relevant Schemes of Recruitment. Promotion of Non-academic Staff
- (i) Applications should be forwarded through the line of superiors of the applicant to the Secretary of the Commission in respect of posts in the Commission; and to the Registrar of a University/ Secretary of a University College through the line of superiors of the applicant in respect of posts in a Higher Educational Institution.
- 18.4.5 The Procedures specified in subparagraph 18.4.1, 18.4.2, 18.4.3 and 18.4.4 shall apply "*mutatis mutandis*" to the staff of the Institutes affiliated to Universities. Staff in Institutes
- 18.4.6 The Appointing Authority shall make arrangements for the setting up of a selection committee in accordance with

the Procedure for Appointment approved by the Commission and place the applications together with the recommendations of the supervisory officers and the Principal Executive Officer of the institution, before such selection committee.

- 18.4.7 Recommendations of the Selection Committee shall be placed before the appointing authority for a decision in terms of sub-paragraph 18.3.12 of this Chapter.
- 18.4.8 In the case of posts referred to in sub-paragraph 1.2.3(C) (ii) and (iii) of this Chapter [Section 71(2) (ii) and (iii) of the Act], Chairman of the Commission/ Principal Executive Officer of a Higher Educational Institution/ Institute as the case may be, shall make arrangements for the setting up of a selection committee in accordance with the Procedure for Appointment. The applications together with the recommendations of the superior officers and the marks obtained at a written/trade/aptitude test if any shall be considered by the selection committee and make recommendations. The appropriate appointing authority shall decide the promotions upon the recommendations of the selection committee.
- 18.4.9 When the Commission is the appointing authority of a post in a Higher Educational Institution/Institute the Principal Executive Officer of the institution shall forward the recommendation of the Selection Committee along with the approval of the Governing Authority to the Commission for making necessary promotions.

When the Commission is the appointing authority

18.4.10 In the case of a post referred to in Section 71 (2) (i) of the Act where the Commission is the appointing authority, arrangements shall be made by the Commission to call for applications and appoint appropriate selection committees in accordance with the Scheme of Recruitment and Procedure for Appointments and make recommendations to the Commission for appointments / promotions.

18.4.11 Where the Scheme of Recruitment to any post provides for the promotion of any employee on completion of one year on the maximum of the salary scale attached to such lower grade and where owing to the revision of that salary scale of such employee has to spend a longer period than before in order to be eligible for promotion, he should be deemed eligible for promotion with effect from the date on which he would have completed one year on the maximum of the unrevised salary scale. While eligibility for promotion should be determined in this manner, actual promotion will depend also upon other factors such as work and conduct of the employee concerned.

Promotion on completion of one year on the maximum of the salary scale

#### 18.5 Recruitment through a Government Agency

18.5.1 Where any post in the Commission/Higher Educational Institution/ Institute is filled by selection from candidates drawn from an agency approved by the Government, candidates for such posts should be called from such agency for selection by a written test, a practical test, an aptitude test or a trade test and an interview as is appropriate to each post.

Candidates from an agency approved by the Government

- 18.5.2 Such agency approved by the Government should be informed of the qualifications of the post as given in the scheme of recruitment and requested to send candidates with such qualifications for written/trade/aptitude/practical test etc. where necessary and an interview with a view to appointment. The number of candidates required to be sent by such agency should be such that a fair selection can be made from a reasonable number of qualified candidates, depending on the number of vacancies.
- 18.5.3 The provisions of sub-paragraphs 18.3.7, 18.3.8, 18.3.9, 18.3.11 and 18.3.12 shall also apply to selections from candidates sent by the agency approved by the Government.
- 18.5.4 If it is not possible to select any or all of the persons required to fill the vacancies from one batch of candidates sent by the Agency approved by the Government, the Agency should be informed accordingly and asked to send another batch of candidates or in the alternative, request permission to advertise openly.
- 18.6 Recruitment by limited competitive examination
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| <p>18.6.1 Where the Scheme of Recruitment, approved by the Commission, provides for the whole of or percentage of the vacancies in respect of a non-academic post to be filled on the results of an examination limited to suitably qualified employees of the Commission/Higher Educational Institutions/ Institutes and an interview, such examination shall be held once a year by the Commission in respect of posts for which appointments are made by the Commission and by Higher Educational Institutions in</p> | <p>Limited<br/>Competitive<br/>Examinations<br/>once a year</p> |
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respect of posts for which appointments are made by Governing Authorities of such Institutions.

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| 18.6.2 | In order to secure uniformity in examinations for recruitment to posts of similar nature, the structure of such examinations shall be drawn up by the Commission.   | Structure of Examination                       |
| 18.6.3 | Panels of examiners in respect of these examinations shall be appointed by the Chairman of the Commission/Principal Executive Officer of the Higher Educational Institution as the case may be.   | Examiners                                      |
| 18.6.4 | Candidates eligible to sit these examinations shall be given adequate notice of the examination or any revisions or amendments thereto, and the date of examination.  | Notice to candidates                           |
| 18.6.5 | Notices inviting candidates eligible to sit the examination should be given adequate publicity and put up in the general notice board of the Commission/Higher Educational Institutions/Institutes. Such notices should include the scheme of the examination, service requirements and other eligibility conditions, and the closing date for receiving applications.                                | Notice inviting candidates for the examination |
| 18.6.6 | The eligibility of those who have sent up their intent to sit the examination should be checked and a list under the hand of the Secretary of the Commission/Registrar/ Secretary of a Higher Educational Institution/ the most senior officer in the administrative staff of an Institute/Centre for Higher Learning giving the names of candidates eligible to sit the examination should be put up | List of eligible candidates                    |

on the general notice board at least two weeks before the first date of the examination.

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| 18.6.7 | Question papers for the examination should be sent by the appointed examiner/s to the Secretary of the Commission or Registrar/ Secretary of Higher Educational Institutions/ the most senior officer in the administrative staff of an Institute/ Centre for Higher Learning as the case may be, at least two weeks before the first day of the examination. | Question Papers            |
| 18.6.8 | A Senior Assistant Secretary or above of the Commission or Senior Assistant Registrar or above of a Higher Educational Institution/ Institute shall be in charge of safe custody of the question papers, for the proper conduct of the examination and for the expeditious marking by the examiners of examination scripts.                                   | Conduct of the examination |
- (i) Within one month from the last date of the examination, the responsible officer shall submit to the Secretary of the Commission/ Registrar of the University/ Secretary of the University College/ the most senior officer in the administrative staff of an Institute/ Centre for Higher Learning as the case may be, with the marked scripts and a schedule of marks earned by the candidates in each subject, the total marks earned by each of the candidates, and the average marks of each candidate in the examination.
  - (ii) Selection Committees appointed by appointing authorities for the posts

concerned shall be supplied with copies of the mark schedules, so that the marks earned at the examination may be given due weight when making the final selection after the interview. As a general rule the average marks at the examination should be regarded as constituting 75% of the marks and the marks earned at the interview as constituting 25% of the marks for selections, unless otherwise stipulated in the Scheme of Recruitment/ Procedure for Appointment.

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| 18.6.9  | The appointing authority will make its decisions on appointments, based on the marks of the examination and/or interview in that order of merit.  | Appointments                                    |
| 18.6.10 | The Selection Committee may decide to keep a suitable number of candidates as reserves in a list which shall be valid for a period of six (06) months from the date of the Selection Committee meeting.   | Reserve List                                    |
| 18.7    | Appointment of Officers of the Public Service/Local Government Service to the Commission/Higher Educational Institutions/ Institutes:   |   |
| 18.7.1  | The Commission may appoint public officers to the staff of the Commission either permanently or in a temporary capacity and such appointments are governed by Section 9(1), 9(2) and 9(3) of the Act.   | Appointments to the Commission                  |
| 18.7.2  | A Higher Educational Institution/ Institute may appoint a Public Officer or a Local Government Officer to the staff of that institution on a temporary or permanent basis and such appointments are governed by Section 77(1), 77(2), 77(3) and 77(4) of the Act. | Appointments to Higher Educational Institutions |

- 18.7.3 Where the Commission/ Higher Educational Institution/ Institute employs any person who has entered into a contract with the Government agreeing to serve the Government for a specified period, any period of service with the Commission/Higher Educational Institution/ Institute shall be regarded as service to the Government for the purpose of discharging the obligations of such contract in terms of Section 9(4) and Section 77(5) of the Act respectively.
- 18.7.4 When applications are submitted by public officers or officers of the Local Government Service or any local authority in response to an advertisement published by the Commission/Higher Educational Institution/ Institute, such applications should be channelled through the respective Heads of Departments. It is also presumed that they are aware of the following;
- Conditions of employment
- (a) As to the retention or otherwise of their pension/provident fund rights under the Government or Local Government Service, and that they will be appointed only with the permission of the Ministry of Public Administration or Local Government Service as the case may be;
  - (b) That they will contribute to the Universities Provident Fund from the date of permanent employment to the Commission /Higher Educational Institution/ Institute.



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| 18.7.5 | Public Officers and Local Government Officers who have passed the age of 55 should not be recruited either temporarily or permanently by the Commission / Higher Educational Institution unless;  | Employment beyond the age of optional retirement |
|        | (a) There is no suitable employee in the service of the Commission/Higher Educational Institution/ Institute who could be appointed to the post; and  |  |
|        | (b) It has been found after advertisement that there is no suitable person who could be recruited from outside the Commission/Higher Educational Institution/ Institute for appointment to the post other than a Public or Local Government Officer who is over 55 years of age.  |  |
| 18.7.6 | In any event a person who is appointed on the above provisions should not continue in service after the age of compulsory retirement.   |  |
| 18.7.7 | A Public Officer or a Local Government Officer who has retired from service before the age of optional retirement under any option available to him to retire prematurely should not be re-employed in the Commission/Higher Educational Institution/Institute without the permission of the Cabinet of Ministers, unless otherwise any other specific provisions have been made. | Those retired before age of optional retirement  |
| 18.7.8 | Where a Public Officer or a Local Government Officer is selected for appointment to a post in the Commission /Higher Educational Institution/ Institute, the Ministry under which such officer is working should be informed of his selection.  | Respective Ministry be informed of the selection |

- 18.7.9 A Public Officer or a Local Government Officer permanently appointed to the staff of the Commission/Higher Educational Institution/ Institute who enjoyed pension rights freeze his pension in terms of Section 77 of the Act and will begin to contribute to the Universities Provident Fund and University Pension Scheme from the date of his permanent appointment unless any other law has permitted otherwise. Pension Rights / Contribution to Provident Fund
- 18.7.10 A Public Officer or a Local Government Officer may be released temporarily initially for a period not exceeding two years for service in the Commission/Higher Educational Institution/ Institute, provided the Public Services Commission/Ministry under which the officer is working and the Ministry of Public Administration have no objection and the appointing authority approves. Before the expiry of the period of secondment, the officer should either opt to revert to the Public Service or Local Government Service or to be released permanently to the Commission/Higher Educational Institution/ Institute if it requires his services permanently. Appointment on secondment
- 18.7.11 A Public Officer or a Local Government Officer who is released temporarily on secondment to the Commission/Higher Educational Institution/Institute shall earn his leave according to the leave regulations of the Commission/Higher Educational Institution and shall have no claim during such period for any leave earned before his employment in the Commission/Higher Educational Institution. Similarly when he reverts to the Public Service or Local Government Leave Privileges

Service, he shall have no claim for any leave earned while in the service of the Commission/Higher Educational Institution and such leave shall be treated as having lapsed. What will remain to his credit will be only leave earned by him during his service as a Public or Local Government Officer.

18.7.12 An officer seconded for service to the Commission/ Higher Educational Institution/ Institute should not be released without reference to the Commission/ Governing Authority of the Higher Educational Institution/ Institute and the relevant Head of the Department/ Local Government Office.

Reversion of officer seconded for service

18.7.13 A Police Pensioner should not be re-employed in the Commission/Higher Educational Institution/Institute without prior concurrence of the Inspector General of Police.

Police Pensioners

#### 18.8 Absorption of staff of other Institutions

Where staff of other institutions have been absorbed on a policy decision made by an appropriate authority into the staff of the Commission/ Higher Educational Institutions/ Institutes, their past services to such other institutions should be recognized for the purpose of promotion/ appointment in the service of the Commission/ Higher Educational Institution/ Institute as the case may be, provided that such services are relevant to the posts to which appointments or promotions are sought.

In absorption past services in other institutions be recognized

#### 18.9 Appointments on Contract to vacant posts

18.9.1 (a) No appointment on contract to a vacant post should be made by the Commission or any Higher Educational Institution/Institute, except after advertising the post in

No appointment on contract to vacant post

accordance with the approved Scheme of Recruitment.

(b) If no suitable candidate applies in response to such advertisement, a person may be considered for appointment on contract depending on the requirement of the post.

(c) An appointment on contract may be made in the first instance without advertising the vacancy if the period of service is less than one year. Anyhow, the service of the person so appointed should not be extended beyond the initial contractual period without the post being advertised.

Exception

18.9.2 If a person to be appointed on contract basis does not possess the qualifications specified in the scheme of recruitment, the approval of the Commission should be obtained before making such appointment. Also no person should be appointed on contract beyond the age of compulsory retirement without prior approval of the relevant authority.

Persons without  
requisite  
qualifications

18.9.3 Employment on contract should be for a period not exceeding six months at a time and subject to a maximum period of two years, and the terms and conditions of the contract including the salary payable should be clearly set out in the contract.

Period of  
employment

18.9.4 No change in the terms and conditions of service should be effected unilaterally or by mutual consent during the tenure of the contract, but if the same person is to be re-appointed on contract on the termination of the original contract, a fresh contract specifying different terms and conditions of service may, if necessary, be entered into.

No change in  
conditions  
except on  
re-appointment

- 18.10 Re-employment of Academic Staff beyond 65 Years
- 18.10.1 Subject to the provision of Section 73 of the Act, the services of teachers of Higher Educational Institutions /Institutes should not be extended beyond the age of 65 years. However, they may be re-employed on contract with approval of the relevant authority on the recommendation of the Governing Authority of a Higher Educational Institution/Institute, in special fields where there is an acute shortage of senior staff and it is not possible to obtain the services of trained personnel for regular appointment.
- 18.10.2 No teacher who is above the age of 65 should be appointed and/or continue as Head of a Department of Study or Dean of a Faculty or any other administrative post in a Higher Educational Institution/Institute such as Director of an Institute/ Centre for Higher Learning/ University College or Rector of a Campus or Deputy Vice-Chancellor or Vice-Chancellor of a University.
- 18.11 Appointment to Chairs:
- 18.11.1 As the academic development of any Department of Study largely depends on the person appointed to the Cadre Chair of that Department of Study, no Chair should be filled as a matter of course.
- 18.11.2 The Cadre Chair of any Department of Study needs be filled only if a person who is academically/ professionally qualified, sufficiently senior in experience and service, and who is qualified in all respects, is available for selection.
- Re-employment on contract not as a matter of course
- Not to be appointed as Head of Department or to other statutory position
- Not as a matter of course
- Only when suitable person is available

18.12 Persons disqualified from Appointment to any post in the Commission/ Higher Educational Institutions/Institutes

18.12.1 A Person:

(a) who has been compulsorily retired for general inefficiency or retired as a merciful alternative to dismissal or whose services has been terminated or dismissed for disciplinary reasons after a formal inquiry;

(b) who has vacated post while in the State Service or in the service of a Public Corporation or Statutory Board or in the service of the Commission or any Higher Educational Institution/ Institute;

(c) who has been convicted by a Court of Law for a criminal offence committed against the Democratic Socialist Republic of Sri Lanka;

(d) who has been convicted by a Court of Law in any Criminal proceedings or convicted by a Court of Law, after summary inquiry in terms of Section 449 of the Criminal Procedure Code;

(e) who had been declared as bankrupt, should not be appointed to any post in the Commission or in any Higher Educational Institution / Institute. However, under exceptional circumstances those who are in categories (a) and (b) above may be considered for appointment with prior approval of the Commission.

The Commission and every Higher Educational Institution/ Institute shall maintain an index of names of such persons. For this purpose, the Commission shall obtain a list of names

Reasons for disqualification

Index of names of such persons

of such persons from the relevant authorities including the Department of Public Administration, State Corporations and all Higher Educational Institutions/ Institutes and maintain an Index which shall be circulated annually among the Higher Educational Institutions/ Institutes. Accordingly, the Commission/ Higher Educational Institutions/ Institutes should ensure that such persons are not appointed to any post in their respective institutions.

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| 18.12.2 | Persons who are not citizens of Sri Lanka should not be appointed to any post in the Commission/ Higher Educational Institutions/ Institutes. Provided however, that a person who is not a citizen of Sri Lanka and is lawfully in Sri Lanka under the authority of a passport or visa granted or issued under the Immigration and Emigration Act may be appointed to the staff of the Commission or a Higher Educational Institution/Institute with concurrence of the Ministry in-charge of the subject of University Education where necessary. Anyhow, such appointment should be limited to the validity period of the visa granted to stay in Sri Lanka. | Non-citizens                     |
| 18.13   | Prior conditions to be satisfied for Appointment and Promotion   | Prior conditions to be satisfied |
| 18.13.1 | Before an appointment or promotion is made, the appointing authority should satisfy himself that the following conditions have been satisfied:   |                                  |
|         | (i) that the post has been approved by the Commission and financial provision has been made for it;  |                                  |

- (ii) that vacancies actually exist in the cadre;  
e.g. a vacancy does not exist:
  - (a) during the period, an officer who is on leave preparatory to retirement or
  - (b) when the holder of a post is on leave without pay or
  - (c) has been temporarily released;
- (iii) that the need for the post continues to exist and that it has not become superfluous;
- (iv) that the appointment is in accordance with the approved scheme of recruitment, or under sub-paragraph 18.7,18.9 or 18.10 of this Chapter.
- (v) that the authority to make the appointment is prescribed in the Act or any appropriate legal instrument.

18.13.2 It is the duty of the Secretary of the Commission, Registrar of a University/ Secretary of a University College to satisfy himself that the pre-requisites for appointment are in order and to advise the appointing authority accordingly.

Duty to advise appointing authority

#### 18.14 Letters of Appointment

18.14.1 Every person appointed to a post (except casual daily paid persons and those hired for a very limited period on a day-to-day basis) should be issued a letter of appointment setting out fully the terms and conditions of his appointment.

Letters of appointment for all appointments

18.14.2 A letter of appointment should as far as possible follow the form and text of the appropriate specimen letter of appointment given in Appendix II;

Appendix II



Draft Letter of Appointment to (A) Teachers other than Lecturer (Probationary), (B) Lecturer (Probationary), (C) Non-Academic Staff, (D) Executive (Administrative) Grade, (E) Other Executive Grades, (F) Registrar, (G) Bursar and (H) Academic Support Staff

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| 18.14.3 | The Letter of Appointment issued to any Lecturer (Probationary)/Assistant Librarian on probation shall include each of the relevant conditions of service specified in sub-paragraph 27.3 of Chapter X.   | Conditions in Letter of Appointment  |
| 18.14.4 | A letter of appointment issued by the appointing authority to a person appointed to a post and a declaration by him on a copy of the letter of appointment accepting the appointment on the terms and conditions set out therein will together constitute a contract of employment. The declaration of acceptance of the appointment should be made before assuming the duties of the post. | Contract of employment               |
| 18.14.5 | Where the Commission deems it necessary, the terms and conditions of appointment may be set out in a duly executed contract of employment between the person appointed to a post and the Commission/ Higher Educational Institution.  |                                      |
| 18.14.6 | The terms of any contract of employment may be subsequently modified or altered by the Appointing Authority without prejudice to the acquired rights of the person appointed to a post, in order to bring such terms in conformity with any measures relating to conditions of employment which the   | Amendments to Contract of employment |

Government or the Ministry in-charge of the subject of University Education or the Commission may decide to apply to those holding appointments in the Commission/Higher Educational Institutions/ Institutes.

- 18.14.7 For the purpose of this paragraph a promotion is an appointment and a letter of appointment should be issued. Specimen letter of appointment on promotion to a post in the executive grade is given in Appendix III.

Letter of  
appointment on  
promotion:

Appendix III

When the promotion is from one grade to another in the same service, it would be sufficient if an intimation of promotion is issued, indicating the date of promotion and the grade and salary scale to which promotion is made, and also any efficiency bars or any other special conditions which may have to be satisfied in the new grade.

- 18.14.8 Where the designation of a post is changed with the approval of the Commission and there is no change in the duties, emoluments or conditions of service, a fresh letter informing of the change of designation and the fact that the other conditions of appointment remain unchanged would suffice.

Change of  
designation of  
post

- 18.14.9 Letters of appointment and letters intimating promotions referred to in sub-paragraph 18.14.7 and letters intimating change of designation referred to in sub-paragraph 18.14.8 shall be issued on the direction of the Commission by the Secretary of the Commission where the Commission is the appointing authority; and by the Vice-Chancellor of a University or the Director of a University College as the

Issue of letters of  
appointments

case may be in respect of teachers or by the Registrar or the Secretary respectively in the case of non-academic staff where the Governing Authority or the Vice-Chancellor by delegation, is the appointing authority.

18.15 Selection Committee:

18.15.1 Selection Committees for the selection of suitable persons for appointment to posts in the Commission / Higher Educational Institutions / Institutes in respect of which the Commission is the appointing authority, shall be appointed by the Commission or by the Chairman of the Commission by delegation in terms of the procedure for appointment.

Appointment by the Commission

18.15.2 Selection Committees for the selection of suitable persons for appointment to posts in Higher Educational Institutions/ Institutes of which the Governing Authority of the institution is the appointing authority, shall be appointed by the Governing Authority in terms of the Procedure for Appointment.

Appointment by Governing Authorities

Whenever members of the Governing Authority appointed from among its members who have been appointed by the Commission are appointed to the Selection Committee, presence of at least one such member should be ensured. However, every effort should be made to ensure the participation of all such members.

18.15.3 The Vice-Chancellor of a University/ Director of a University College shall appoint members to selection committees as applicable in terms of the

Appointment by Principal Executive Officers

Procedure for Appointment, in respect of posts of which he is the appointing authority where such power is delegated by the Governing Authority.

18.15.4 The Commission shall appoint such number of members to the selection committees of the Higher Educational Institutions / Institutes as specified in the Procedure for Appointment or relevant Scheme of Recruitment.

Appointment of some members by Commission for certain posts

(i) When Higher Educational Institutions invite such members to meetings of selection committees, the fact that such members have been appointed to the selection committee by the Commission should also be communicated to them.

(ii) It is important that the Commission nominees who are appointed to the Selection Committees are present at such Selection Committee meetings in order to regularize such selection. Therefore, the Higher Educational Institutions / Institutes should schedule the date and time for such meetings in consultation with them according to their convenience.

(iii) While every effort should be made to ensure the participation of all such members appointed by the Commission, at least one of such members should be present at the Selection Committee meeting.

## 19. Procedure on Appointment

### 19.1 Medical Examination

19.1.1 All permanent appointments in the Commission / Higher Educational

Appointment subject to

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| <p>Institutions / Institutes are subject to the condition that the persons so appointed are found medically fit in every respect for appointment and physically fit to serve in any part of Sri Lanka.</p>  | <p>medical examination</p>                                     |
| <p>19.1.2 When a person not already holding a permanent appointment or a temporary appointment in the Commission or in a Higher Educational Institution / Institute is provisionally selected for permanent appointment, the appointing authority will direct him to present himself for a medical examination to a University Medical Officer nominated by the appointing authority.</p>   | <p>Medical examination as directed by appointing authority</p> |
| <p>19.1.3 The person so selected for appointment shall perfect the prescribed application form and present himself for medical examination to the University Medical Officer so nominated within one month from his appointment.</p>  | <p>Application for medical examination</p>                     |
| <p>19.1.4 The University Medical Officer will conduct the examination, perfect the prescribed medical report and report to the appointing authority on the fitness of the person for permanent appointment in the Commission or in a Higher Educational Institution/ Institute and for service in any part of Sri Lanka. Where the University Medical Officer considers that the person is unfit for appointment or that he should be further examined before a report on his fitness could be made, he shall report accordingly.</p> | <p>Medical Report</p>  |
| <p>19.1.5 The Commission/Higher Educational Institution/Institute must ensure that no salary is paid to a person newly</p>  | <p>Salary pending medical report</p>                           |

appointed to the Commission/Higher Educational Institution/Institute until a medical report in the prescribed form has been received.

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| 19.1.6 | Where a person is reported to be unfit for appointment by the University Medical Officer, the appointment should be forthwith cancelled, but he shall be eligible for the salary of his post for the days he has worked.   | If reported unfit                     |
| 19.1.7 | Where a person had already been medically examined in connection with his previous appointment in a permanent or temporary capacity in the Public Service or in the service of a Public Corporation or Statutory Board or in the Local Government Service, and found to have been fit for service in that appointment, he may be exempted from a medical examination on appointment to his post in the Commission / Higher Educational Institution / Institute provided that the earlier medical report is obtained from his previous employer and found to be acceptable. Such medical report should be filed in his personal file. | Exemption from medical examination    |
| 19.1.8 | Since it is the responsibility of the appointee to establish his physical and mental fitness to assume responsibilities of the post to which he is appointed, all expenses connected with any x-ray photographs or any other reports which the University Medical Officer may require in connection with the medical report for this purpose will be borne by the appointee.   | Expenses to be borne by the appointee |
| 19.1.9 | All medical reports under this paragraph shall be treated as confidential documents.   | Medical reports confidential          |

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| 19.1.10                                | If a person who was in the service of the Commission or in a Higher Educational Institution / Institute obtains employment in another establishment and that establishment calls for the medical reports obtained on his appointment in the Commission/ Higher Educational Institution/ Institute, the report may be forwarded to such establishment.   | University<br>Medical Reports<br>for other<br>establishments      |
| 19.2 Affirmation or Oath of Allegiance |   |   |
| 19.2.1                                 | Every person appointed to a post in the Commission or in a Higher Educational Institution / Institute whether on a permanent, temporary or casual basis and whether or not he had made the affirmation or taken the oath of allegiance in connection with any earlier appointment in the Commission or in a Higher Educational Institution/ Institute or elsewhere, should be required to make and subscribe or take and subscribe the affirmation or the oath of allegiance on the prescribed forms in accordance with the Article 165 of the Constitution of the Democratic Socialist Republic of Sri Lanka and the Seventh Schedule in Section 5 of the Sixth Amendment to the Constitution on the prescribed Forms, within one month of his appointment to such office. | Making the<br>Affirmation and<br>taking the Oath<br>of Allegiance |
| 19.2.2                                 | Provision should be included in the letter of appointment that such person should make and subscribe the affirmation or take and subscribe the oath within one month of his appointment and that the failure to do so would result in such person ceasing to be in service or hold office.  | Within one<br>month   |

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| 19.2.3   | The affirmation or the oath should be administered by the Chairman/the Secretary / an officer at executive level authorized by the Chairman, in the case of employees of the Commission. With regard to the employees of Higher Educational Institutions/ Institutes, the affirmation or the oath should be administered by the Principal Executive Officer/ the Registrar or an officer at executive level authorized by the Principal Executive Officer/ Dean of the Faculty/ the Librarian/ Head of the Department of Study as the case may be. | Administration of the oath or affirmation |
| 19.2.4   | The affirmation or oath should be filed of record in the personal file of the person concerned.  | File of record                            |
| 19.3 Declaration of Assets                                 |  |   |
| 19.3.1   | Every person appointed to the Commission / Higher Educational Institution / Institute other than in a purely temporary or casual capacity to a post the initial salary of which is not less than an amount determined by the Commission from time to time in accordance with the Government policy, should declare his assets as at the date of his appointment in the form prescribed for the purpose, and annually thereafter.   | On appointment and annually thereafter    |
| 19.3.2   | The declaration under this subparagraph shall be treated as a confidential document.   | Confidential                              |
| 19.4 Filing of the documents referred to in this paragraph |  |   |
| 19.4.1   | The medical report, the affirmation or oath of allegiance in terms of Section 165 of the Constitution of the   | Medical report and affirmation or oath    |



Democratic Socialist Republic of Sri Lanka and the Affirmation or Oath as provided for in the Seventh Schedule in Section 5 of the Sixth Amendment to the Constitution on the prescribed Forms, should be filed of record in the personal file of the person appointed.

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| 19.4.2 | The declaration of assets should be confidentially kept in the safe custody of the Chairman of the Commission in respect of the staff of the Commission, and of the Principal Executive Officer of a Higher Educational Institution/ Institute in respect of staff of such institution. | Declaration of assets in safe custody |
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## 20. Re-employment and Reinstatement

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| 20.1 | A person who held an appointment in the Commission / Higher Educational Institution / Institute and subsequently voluntarily retired or resigned from his post may be considered for re-employment outside the Scheme of Recruitment only if he applies for a post in the Commission / Higher Educational Institution / Institute as the case may be, once it is advertised, with an appeal to the appointing authority for re-employment.   | Re-employment of persons voluntarily retired or resigned |
| 20.2 | The appeal referred to in above paragraph for re-employment should state whether he was employed in the Commission/Higher Educational Institution/ Institute at the time he retired or resigned from his post; the post held; the date of appointment; the date of retirement or resignation; the circumstances of such retirement or resignation; reference to correspondence in this connection; the circumstances in which he is seeking re-employment and any other information considered necessary to review his case. | Contents to be included in the appeal                    |

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| <p>20.3 The application and the appeal should be forwarded to the officer receiving applications for the post. The Secretary of the Commission/ Registrar of the Higher Educational Institution concerned shall report on the circumstances of the person's retirement or resignation and his recommendations in regard to his re-employment, taking into consideration not only the circumstances of his retirement or resignation, but also his work, conduct, attendance and any other information which may be useful to the appointing authority in making a decision on his application.</p> | <p>Recommendation to appointing authority</p>              |
| <p>20.4 The Selection Committee appointed in respect of the post shall make its recommendations to the appointing authority concerned on his suitability for appointment.</p>  |  |
| <p>20.5 A person who has retired from the Commission/Higher Educational Institution/ Institute on medical grounds may be considered by the Commission/ Governing Authority as the case may be, for re-employment in the post or grade from which he retired, provided that at least one year has elapsed since the date of retirement; and the person has not reached the age of retirement in the case of Teacher and the age of optional retirement in the case of others; and there is a vacancy.</p>   | <p>Re-employment of persons retired on medical grounds</p> |
| <p>20.6 The Principal Executive Officer of the Higher Educational Institution/ Institute or Secretary of the Commission as the case may be, shall appoint a Medical Board to report on the fitness of the person for re-employment and upon the receipt of an acceptable medical report the appointing authority shall consider him for re-employment provided that his work and conduct prior to retirement had been satisfactory and that there is a vacancy in the post or grade in which he retired.</p>   | <p>Medical Board</p>                                       |

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| 20.7  | The salary of a person on re-employment shall be determined in terms of paragraph 4 of Chapter VI.  | Salary on re-employment                            |
| 20.8  | The other conditions of service of a person re-employed shall be as determined by the Commission/Governing Authority as the case may be.  | Other conditions of service                        |
| 20.9  | The concession of re-employment outside the Scheme of Recruitment will be granted only once to any person.  | Concession of re-employment only once              |
| 20.10 | A person who is re-employed should be issued with a letter of appointment setting out the terms and conditions of his re-employment.  | Letter of appointment                              |
| 20.11 | A person dismissed from the service of the Commission or a Higher Educational Institution/Institute may, in the first instance, make application for re-instatement to the Commission/Governing Authority for a revision of the order within six months of the date of dismissal. However, that an application shall not be entertained by the Commission or Governing Authority if it is made after an appeal to the University Services Appeals Board has been considered and disallowed. | Application for revision of order of dismissal     |
|       | 20.11.1 The University Services Appeals Board will hear and decide appeals in regard to dismissals by the Commission/Governing Authority of Higher Educational Institution / Institute in terms of Section 86(b) of the Act.  | Appeals to USAB                                    |
| 20.12 | A person who is deemed to have vacated his post may make application to the Commission/Governing Authority for reinstatement within three months of the date of vacation of post in the case of persons who are out of the island and within one month in the case of those who are in the island.  | Application for revision order of vacation of post |

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| 20.13 | Applications under sub-paragraphs 20.11 and 20.12 should be substantial as required in sub-paragraph 20.2 and should be forwarded to the Commission through the Secretary or the respective Governing Authority through the Principal Executive Officer of the Higher Educational Institution/ Institute in which the person was serving at the time of dismissal or vacation of post. The application should be forwarded to the Commission / Governing Authority with the report, relevant files and recommendations of the Secretary of the Commission / Principal Executive Officer of the Higher Educational Institution/ Institute as the case may be. | Procedure for re-instatement on dismissal or vacation of post |
| 20.14 | The Commission/ Governing Authority may order the re-instatement of the person concerned on such terms and conditions as the Commission/ Governing Authority may decide.   | Terms and conditions of re-instatement                        |
| 20.15 | The concession of re-instatement on dismissal or vacation of post shall be granted only once in his career to any person.  | Only once in his career                                       |

## 21. Probation and Confirmation in Appointment

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| 21.1 | Appointment on probation implies that a person appointed to a post may before confirmation count on being admitted to the permanent establishment if he carries out the obligations imposed by his appointment and proves by conduct and service his suitability for retention in the permanent service of the Commission/ Higher Educational Institution/ Institute. This enables the person who is found unsuitable for a post for any reason whatsoever to discontinue his service before it is too late for him to find other employment. | Purpose of probation            |
| 21.2 | Every appointment to a post of teacher shall in the first instance be for a period of probation of three years. However, in the case of Lecturer  | Probationary period of Teachers |

(Probationary) and Assistant Librarian such period may be extended by the Governing Authority of the Higher Educational Institution to which such teacher is attached, by one year at a time for a further period not exceeding five years. Such appointments shall be subject to such requirements or conditions as to confirmation as may be provided in the appropriate Scheme of Recruitment [Section 72 (2) of the Act]. Provided that the Probationary period of a teacher on study leave may be extended up to the date on which such leave would expire, subject to the condition of not exceeding maximum permissible period of probation as specified in Section 72 (1) of the Act.

21.2.1 A Lecturer (Probationary) and an Assistant Librarian on probation shall under normal circumstances be expected to obtain a postgraduate degree, either by research or with a research component, within the initial three year period of probation referred to in Section 72 of the Act as amended. His services will be terminated by the Governing Authority if he fails to obtain such degree within the maximum eight year period of probation permitted by that Section.

Termination of appointment for failure to qualify within eight years

21.2.2 Where appointment is to a post of teacher and the appointee has been previously confirmed in the post of teacher in another Higher Educational Institution or in another Department of the Higher Educational Institution to which the appointee is attached, such appointment shall in the first instance be for a probationary period of one year [Section 72(1) (a) of the Act].

Teacher whose probationary period is one year

21.2.3 Where appointment is to a post of teacher and the appointee has been

previously confirmed in the post of teacher/ in any post equivalent to the post of teacher in another Higher Educational Institution or in another Department of the Higher Educational Institution to which the appointee is attached, such appointment shall in the first instance be for a probationary period of one year [Section 72(1) (b) of the Act].

- 21.2.4 In the case of appointment to the advertised post of Professor/ Senior Professor (Cadre Chair), a teacher who has been confirmed in the post of teacher previously held in the same or another Higher Educational Institution/Institute, shall serve a probationary period of one year.

The probationary period need not be applicable for merit promotions to the posts of Associate Professor/ Professor/ Senior Professor.

- 21.2.5 Every appointment to a post other than that of a Teacher shall in the first instance be for a probationary period of three years and shall thereafter be subject to confirmation by the Commission or by the Governing Authority of the Higher Educational Institution to which such appointment relates, except where such appointment is by reason of a promotion from a post other than that of teacher to another post other than that of teacher.

Provided that, where a person whose appointment to a post other than that of teacher in the Commission or in a Higher Educational Institution/Institute has been confirmed, is subsequently appointed otherwise than by way of promotion or under the provisions of Sections 66A and 144 of the Act to another post other than

Probationary  
period for posts  
other than  
teachers

that of teacher in the Commission or in a Higher Educational Institution, his subsequent appointment shall, in the first instance, be for a probationary period of one year, and shall thereafter be subject to confirmation by the Commission or the Governing Authority of such Higher Educational Institution, as the case may be (Section 74 of the Act).

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| 21.2.6 | Extensions of probationary periods of appointees specified in sub-paragraph 21.2.5 above shall be at the discretion of the appropriate appointing authority.   | Extension of Probationary period                             |
| 21.2.7 | Principal Executive Officers of Institutes shall refer all cases of extensions of probationary periods of those appointed to Institutes to the Registrar of the University to which such Institute is attached so that he may take action as is appropriate.                                       |  |
| 21.2.8 | The Governing Authority shall confirm any Lecturer(Probationary)/ Assistant Librarian (including those who are on Study Leave) in his post on obtaining an appropriate degree provided that he has also satisfied such other conditions as are required, as precedent to his confirmation.         | Confirmation of Lecturer (probationary)/ Assistant Librarian |
| 21.3   | The following procedures should be observed in the case of a person appointed on probation;  | Procedure to be observed during probationary period          |
| (a)    | He should be given all facilities for learning his work and gaining experience in his duties and should be under continuous observation and guidance of superiors. Whenever any tendencies are observed which will render doubts of his suitability for permanent appointment, written warnings or | Facilities for learning and gaining experience               |

admonitions in respect of shortcomings should be given and acknowledgment obtained, and such assistance as may be necessary to correct his failings should be given by the superiors.

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| <p>(b) Where the gaining of any academic and/or professional qualification or passing an examination or passing a test such as typing test or trade test are part of the requirements for confirmation in terms of the Scheme of Recruitment, all facilities should be given to enable him to gain such qualifications or pass such tests etc. within the initial period of probation.</p>  | <p>Facilities for gaining academic qualifications, passing of examinations etc.</p> |
| <p>21.3.1 A person appointed to the Commission/ Higher Educational Institution/ Institute should serve the full period of probation in the Commission /Higher Educational Institution/ Institute to which he is appointed as the case may be and should have earned all increments within the probationary period for confirmation in his appointment. However, for any special reasons, the Commission or the Governing Authority of the Higher Educational Institution/ Institute may consider his continuous service at the Commission or Higher Educational Institutions/Institutes rendered within his period of probation for confirmation in the post.</p> | <p>Full probationary period in one institution</p>                                  |
| <p>21.3.2 The progress made by persons on probation should be reviewed at the end of each year of probation;</p> <p style="margin-left: 40px;">(a) In the case of teachers the report shall be made by the Head of the Department of Study and submitted to the Dean of the Faculty concerned. The Dean of the Faculty should forward the</p>   | <p>Review of progress on probation</p>  |



same with his observations to the Principal Executive Officer of the institution.

The Principal Executive Officer will submit it to the appointing authority with his recommendations.

- (b) In the case of other appointments, the report shall be made by the Head of the Department of Study/ Administrative Division/ Centre/ Unit through the Dean of the Faculty / Librarian where applicable to the Registrar of the University / Secretary of the University College. The recommendations of the Registrar of the University / Secretary of the University College as the case may be, shall be forwarded to the Principal Executive Officer.

In the case of the staff appointed to the Commission, the Secretary will report to the Chairman.

- (c) The reports of all years on probation should be taken together by the appropriate appointing authority in deciding whether an appointee is suitable for confirmation at the end of the probationary period.

21.4 The appropriate appointing authority may, on the basis of reports at the end of the probationary period or extended period of probation, confirm the probationer in his appointment.

Confirmation in  
appointment

21.4.1 When a person appointed on probation is confirmed in his appointment, his confirmation in the appointment shall be dated as from the date of his

Dating  
permanent  
appointment  
upon

appointment or the date on which he actually assumed duties in his new post whichever is later subject to sub-paragraphs 21.4.2 and 21.4.3.

confirmation

21.4.2 Where a person fails to qualify for confirmation at the proper time, that is, within the initial period of probation, for reasons beyond his control, but has qualified within any extended period of probation which may have been allowed to him for this purpose, his confirmation in the appointment shall be dated as from the date of appointment on probation. He will not lose in salary or seniority on account of his extended period of probation.

Failure to qualify  
for confirmation  
for reasons  
beyond control

21.4.3 If a person fails to qualify for confirmation at the proper time, that is, within the initial period of probation for reasons within his control, but qualifies within any extended period of probation:

For reasons  
within control

- (a) He shall be confirmed in his appointment with effect from the date of his probationary appointment;
- (b) The increment to his salary falling due after the expiry of his initial period of probation shall be deferred by that length of time taken in excess of the initial period of probation;
- (c) His seniority in his post or grade shall be determined by the date on which he qualified for confirmation;
- (d) Where a person's incremental date is not the same as the date of his appointment, the effect of an extension of the period of probation under sub-paragraphs

21.4.3(b) will be to defer the next increment by the period taken in excess of the initial period of probation, even though that increment may fall due after he has qualified for confirmation.

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| 21.5   | Where the Chairman of the Commission/Principal Executive Officer of a Higher Educational Institution/Institute is unable to recommend the confirmation of an appointee, he should report accordingly to the appropriate appointing authority setting out the requirements for confirmation in each case and in what respect the appointee has not reached the required standard for confirmation in appointment. He shall also make his recommendation on the period of extension of probation if he considers that the extension of his period will serve any useful purpose. | Appointees not recommended for confirmation  |
| 21.5.1 | (a) Where the appropriate appointing authority is satisfied that an extension of the period of probation would be useful, an extension not exceeding one year at a time up to five years of extension may be granted in the case of Lecturer (Probationary)/Assistant Librarian.<br><br>(b) In the case of other teachers, probationary period is confined to three years / one year as appropriate.   | Extension of probationary period of teachers |
| 21.5.2 | An extension not exceeding one year at the discretion of the appointing authority in all other cases, may be granted. However, total period of extension should not exceed two years under any circumstances.  | Extension of probationary period of others   |
| 21.5.3 | During the period of probation, the Commission/Governing Authority of the  | Termination of probationary                  |

Higher Educational Institution as the case may be, may by resolution or otherwise terminate the appointment on probation without assigning reasons.

appointment

21.6 Where the person on probation is confirmed on completion of the period of probation or his period of probation is extended or the probationary appointment is terminated, he should be informed of the decision in writing in each case.

21.7 Any appeal which a person may make in connection with loss of salary arising from the provisions of sub-paragraph 21.4.3(b) or 21.4.3(d) shall be entertained only at the end of five years from the date of expiry of the initial period of probation. Such appeals should be made to the Commission in the case of persons appointed by the Commission, or to the Governing Authority of the Higher Educational Institution in the case of persons appointed by that authority, within six months of the end of five year period referred to above. If the appeal is successful he shall with effect from the date of such decision, be allowed to draw the salary at the rate he should have drawn if his increment had not been deferred under sub- paragraph 21.4.3(b) and 21.4.3(d). No arrears of salary shall, however, be allowed. The revision of his seniority shall not be made save in very exceptional cases.

Appeal on loss of salary arising due to extension

## 22. Other General Conditions Governing Appointment

22.1 Every member of the staff of the Commission or a Higher Educational Institution/Institute except in such cases as may be prescribed by Ordinance, shall from the date of the commencement of his employment, contribute to the Universities Provident Fund by means of equal monthly deductions from his salary, an amount equal to ten per centum of the earnings of that contributor, or such other sum as the Minister may, in consultation with the Minister in charge

Contributions to the UPF

of the subject of Finance, determine in terms of Section 92(1) of the Act.

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| 22.1.1 | At the same time, the Commission or the Higher Educational Institution/Institute shall contribute out of its funds in respect of every contributor, a sum equal to fifteen per centum of the earnings of the contributor of which seven per centum will be paid to the Universities Provident Fund and the balance eight per centum to the Universities Pension Fund.   | Contribution to Pension Fund             |
| 22.1.2 | In addition, the Commission or the Higher Educational Institution/Institute shall contribute out of its funds in respect of every Universities Provident Fund contributor a sum equivalent three per centum of the monthly earnings of the contributor to the Employees Trust Fund.   | Contributions to the ETF                 |
| 22.2   | Any person appointed to a post in the Commission or any Higher Educational Institution/Institute will be subject to the Universities Act No. 16 of 1978 and any amendments thereto, and to the Orders, Ordinances, By-Laws, Regulations or Rules etc. made thereunder, and to the rules or administrative, financial and disciplinary procedures made by the Commission/Authorities of Higher Educational Institutions/ Institutes and to all lawful orders of the Chairman of the Commission/Principal Executive Officers of Higher Educational Institutions/Institutes and administrative officers of the Commission in respect of the staff of the Commission and academic and administrative heads of the Higher Educational Institutions/ Institutes in respect of the staff of the respective institutions. | Subject to all laws governing the system |
| 22.3   | Any person who is appointed to the Commission/a Higher Educational Institution / Institute who is administratively responsible for  | Furnishing of Security                   |

or who is entrusted with the receipt or custody of money, stamps or stores or the disbursement of money or the issue of stamps or stores and those who certify vouchers or sign cheques on account of the Commission / Higher Educational Institution / Institute are required to furnish security as determined in accordance with the Public Officers' Security Ordinance, for the faithful discharge of their duties. The nature of security which any such person shall furnish will be determined by the Chairman of the Commission in respect of the staff of the Commission and by the Principal Executive Officers in respect of their respective Higher Educational Institutions / Institutes, subject to the Orders, Ordinances, etc. relevant to furnishing such securities.

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| 22.3.1 | A person appointed to act in a post requiring security should also be called upon to furnish security in the same manner as though he is permanently appointed to it.   | Acting Officers                                 |
| 22.3.2 | The Chairman of the Commission/ Principal Executive Officer of a Higher Educational Institution / Institute may exempt any person from furnishing security if he is satisfied, inter alia, that the amount of money or value of stamps, stores etc. in the personal charge of the person on any particular day does not exceed three months' salary of that person. | Where value does not exceed three months salary |
| 22.3.3 | A person appointed to a post carrying the requirements of security should furnish the required security within two months from the date of appointment to the post. In case of neglect to furnish the security within a further period of one month, the salary of the person should be withheld and reported to the  | Security to be deposited within 2 months        |

Chairman of the Commission/Principal Executive Officer of Higher Educational Institution/Institute as the case may be for appropriate action.

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| 22.4 | Any person appointed to a post (other than to a post of teacher) in the Commission/a Higher Educational Institution / Institute may be required to serve in any part of the island.   | Serve in any part of the island                         |
| 22.5 | Every person appointed to a post in the Commission / a Higher Educational Institution / Institute should be found to be physically and mentally fit for such appointment and for service in any part of the island.   | Physical and mental fitness                             |
| 22.6 | Every person appointed to a post in the non-academic staff of the Commission/Higher Educational Institution/ Institute will be required to conform to all laws, regulations or rules that may be made from time to time to give effect to the language policy of the Government.  | Language policy of the Government                       |
| 22.7 | Every person appointed to a post in the academic staff should be able to deliver lectures in the mother tongue i.e. Sinhala or Tamil and in the English Medium.   | Should be able to deliver lectures in the mother tongue |
| 22.8 | If a person who is the holder of a permanent appointment fails to pass all the prescribed tests before the expiry to the period of probation, he shall not be confirmed in his appointment, and he shall be dealt with in terms of paragraph 21 of this Chapter.  | Consequences of failure to pass the prescribed tests    |
| 22.9 | A teacher of a Higher Educational Institution / Institute who wishes to relinquish his appointment should give at least three months' notice in writing or pay three months' salary in lieu of such notice. Similarly the Higher Educational Institution / Institute should give at least three months' notice or pay three months' salary in lieu of such notice if it decides to terminate the appointment of a teacher without giving him the required notice. | Notice of termination of appointment:<br>Teachers       |

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| 22.10 | Any person other than a teacher holding a monthly paid appointment whether permanent or temporary, who wishes to relinquish his appointment should give at least one months' notice or pay one months' salary in lieu of such notice. Similarly, the Commission/Higher Educational Institution/Institute should give one months' notice or pay one months' salary in lieu of such notice if it decides to terminate the appointment of such person without giving him the required notice. | Staff other than teachers |
| 22.11 | In the case of daily paid employees, notice of termination of appointment will not be required unless the letter of appointment lays down such a condition.  | Daily paid employees      |
| 22.12 | In the case of employees appointed on contract, notice of termination of appointment shall be in terms of the conditions in the contract.  | Contract employees        |
| 22.13 | For the purpose of sub-paragraphs 22.9 and 22.10, "month" means the space of time from a day in one month to the day numerically corresponding to that day in the following month.   | Month means               |

### 23. Acting Appointments

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| 23.1 | (a) If the Chairman or the Vice-Chairman of the Commission is by reason of illness or other infirmity or absence from Sri Lanka or other cause, temporarily unable to perform the duties of his office, the President of the Democratic Socialist Republic of Sri Lanka may appoint another member of the Commission to act for such Chairman or Vice-Chairman during the period of his temporary absence [Section 5(3) of the Act]. | The Chairman or Vice-Chairman of the Commission |
|      | (b) If the Secretary of the Commission is temporarily unable to perform his duties by reason of leave, illness or any other cause, the Commission may appoint a suitable person to act in such post.   | The Secretary of the Commission                 |



23.2 Acting Appointments of Officers of the Higher Educational Institutions/ Institutes

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| 23.2.1 | If the Vice-Chancellor of a University by reason of leave, illness, absence from Sri Lanka or other cause, is temporarily unable to perform the duties of his office, the Deputy Vice-Chancellor, if any, shall perform such duties. Where there is no Deputy Vice-Chancellor, the Registrar of the university should immediately inform the Commission and the Commission within seven days of the occurrence of such inability, shall make such arrangements as it may think fit for carrying on the duties of the office. [Section 34(8) of the Act].         | Vice-Chancellor of a University      |
| 23.2.2 | If the Rector of a Campus by reason of leave, illness, absence from Sri Lanka or other cause, is temporarily unable to perform the duties of his office, the Vice-Chancellor of the University to which such Campus is attached shall within seven days of the occurrence of such inability, make such arrangements as he may think fit for carrying on the duties of his office. Until such arrangements are made, the Registrar of the University to which such Campus is attached shall carry on the routine duties of the office [Section 36(2) of the Act]. | The Rector of a Campus               |
| 23.2.3 | If the Director of a University College by reason of leave, illness, absence from Sri Lanka or other cause, is temporarily unable to perform the duties of his office, the Commission shall, within seven days of the occurrence of such inability, make such arrangements as it may think fit for carrying on the duties of his office. Until such arrangements are made, the Secretary of the  | The Director of a University College |

University College concerned shall carry on the routine duties of the office [Section 58(6) of the Act].

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| 23.2.4 | If the Director of an Institute/Centre for Higher Learning, by reason of leave, illness, absence, from Sri Lanka or other cause, is temporarily unable to perform the duties of his office, the Commission or the Vice-Chancellor of the University to which the Institute is affiliated shall within seven days of the occurrence of such inability, make such arrangements as it/he may think fit for carrying on the duties of the office as stipulated in the Ordinance relating to such Institute/Centre for Higher Learning. Until such arrangements are made, Deputy Director if any or the Registrar of the University to which the Institute is affiliated or the Registrar of the Centre for Higher Learning shall carry on the routine duties of the office subject to the provisions of the Ordinance. | The Director of an Institute/<br>Centre for<br>Higher Learning   |
| 23.2.5 | Where the Registrar is temporarily unable to perform his duties by reason of leave, illness or any other cause, the Vice-Chancellor shall make recommendation to the Governing Authority for the appointment of a suitable member of the administrative staff to act in the place of Registrar.  | Appointment of<br>Acting Registrar<br>of a University            |
| 23.2.6 | Where the Secretary of a University College is temporarily unable to perform his duties by reason of leave, illness or any other cause, the Director shall make recommendation to the Board of Management for the appointment of a suitable member of the administrative staff to act in the place of the Secretary.   | Appointment of<br>Acting Secretary<br>of a University<br>College |

- 23.2.7 Where the Bursar of a University/Treasurer of a University College is temporarily unable to perform his duties by reason of leave, illness or other cause, the Vice-Chancellor/Director as the case may be shall make recommendation to the Governing Authority, for the appointment of a suitable member of the financial administration to act in the place of the Bursar/Treasurer. Appointment of Acting Bursar/Treasurer
- 23.2.8 Where a Dean of a Faculty is temporarily unable to perform his duties by reason of leave, illness or other infirmity or absence from Sri Lanka or any other cause, the Vice-Chancellor of the University /Director of the University College as the case may be, shall appoint a Head of a Department of Study of the same Faculty to act in his place, for a period not exceeding three months. Appointment of Acting Dean of Faculty

In the case of the Open University of Sri Lanka the Vice-Chancellor shall appoint a person from among the Senior Professors, Professors, Associate Professors and Senior Lecturers of the same Faculty to act in his place for a period not exceeding three months. (Section 17(iii) of OUSL Ordinance No. 1 of 1990)

In the case of a Dean of a Faculty in a Campus, the Vice-Chancellor of the University to which the Campus is attached shall appoint a Head of a Department of Study of the same Faculty to act in his place for a period not exceeding three months, [Section 49 (3) and 66 of the Act].

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| <p>23.2.9 When a Head of a Department of Study is temporarily unable to perform his duties by reason of leave, illness or other cause, the Vice-Chancellor shall appoint an Acting Head from the same Department of Study to serve for the period of absence of the Head of Department on leave, provided the leave does not exceed three months, [Section 51 (3) of the Act].</p>   | <p>Appointments of Acting Head of Department</p>                         |
| <p>23.2.10 Where the Librarian of a University/ University College, is temporarily unable to perform the duties of his office by reason of leave or illness or other cause, Principal Executive Officer of the Higher Educational Institution shall recommend to the Governing Authority for the appointment of a suitable member of the Library staff to attend to the duties of the post.</p>  | <p>Attending to the duties of the post of the Librarian</p>              |
| <p>23.3 Acting Appointments; Non-Academic Staff</p>  | <p>Acting appointments to the Administrative and Financial Positions</p> |
| <p>23.3.1 No acting appointments to any Administrative or Financial positions should be made from among employees of non-administrative grades, whenever a vacancy in such a post occurs. Arrangements shall be made for another suitable employee from the same field to act or attend to the duties of the vacant post, for which he could be paid an acting allowance in terms of the rules governing the payment of acting allowances.</p> |  |
| <p>23.3.2 Acting appointments or appointments to attend to the duties of a post shall be made by the same appointing authority in whom the power to make a substantive appointment is vested.</p>  | <p>Power to make acting appointments</p>                                 |
| <p>23.3.3 Acting appointments to posts temporarily vacant should not be made</p>   | <p>Not to be made as a matter of</p>                                     |

- as a matter of course. Wherever possible, without loss of efficiency, the duties of a temporarily vacant post should be distributed amongst the other employees and an acting appointment should not be made. The Commission/ Governing Authority is entitled to call upon any salaried employee to perform without extra remuneration, any service which could reasonably be performed by use of the skills that are expected of the employee, even if such work does not fall strictly within the scope of that employee's normal duties. course
- 23.3.4 An acting appointment should be made as a temporary measure only and until a substantive appointment is made. If the post continues to require the services of a full-time employee, the substantive appointment should be made without delay. A temporary measure
- 23.3.5 No employee shall be appointed to act in any vacant post, unless he is in every way fully qualified to perform the duties of that office. Acting appointment only if fully qualified
- 23.3.6 Where no such qualified employee is available and it is necessary to make arrangements for carrying out some or all of the duties of the vacant post, an employee may be appointed "to attend" to such duties. Appointment to "attend to the duties"
- 23.3.7 When an employee is appointed to attend to the duties of a post, he will be entitled to additional remuneration only if he is appointed "to attend to the duties of the post" in addition to his substantive duties. Payment for attending to duties

23.3.8 No additional emoluments are payable unless the employee has been formally appointed to act in a post or to attend to the duties of a post. Internal arrangements to cover the duties of a vacant post shall not entitle the employee covering those duties to additional remuneration.

No emoluments for internal acting arrangements to cover duties

23.3.9 Any difficulty in making such arrangements should be reported by the Higher Educational Institutions/ Institutes to the Commission.

23.4 The salary of a person appointed to act in a post or to attend to its duties will be determined in accordance with the rules relating to acting pay (Sub-paragraph 16.5 of Chapter VI).

Acting Salary

#### 24. Temporary and Casual Appointments

24.1 A temporary appointment may be in respect of;

24.1.1 a permanent post in the cadre of the institution, pending the filling of the post permanently at a later intake, where it has been found that in response to an advertisement a suitable candidate is not available to make the substantive appointment and the Commission/ Governing Authority of the Higher Educational Institution has given approval for a temporary appointment;

When Temporary appointments are made for permanent posts

24.1.2 a permanent post which is temporarily vacant because the holder is on medically certified prolonged leave or on a full-time course of study or training with the approval of the Commission/ Higher Educational Institution / Institute.

Permanent Post temporarily vacant

24.1.3 a temporary post provided as such in the estimates, such as Temporary Lecturers, Temporary Instructors etc.

Temporary appointments for temporary

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| 24.1.4 temporary posts in connection with any temporary activity for which approval has been obtained.  | posts<br>Temporary<br>activity                       |
| 24.2 A temporary appointment as against a permanent post should be made only where it is not possible to make the permanent appointment within a reasonable time; and it is not possible to make satisfactory internal arrangements for the work to be performed or make an acting appointment; and it is found that a temporary appointment is essential in the interest of the work. The approval of the Commission / Governing Authority as the case may be or its delegate in appropriate cases should be obtained for such temporary appointments. | Temporary<br>appointments<br>only where<br>necessary |
| 24.3 A temporary appointment shall be made by the authority in which the power is vested to make the substantive appointment for the post. In the case of a temporary post which is not exactly parallel to an approved post, the temporary appointment shall be made by the authority in which the power is vested to make appointment to a similar post. (Similarity between a temporary post and a permanent post for this purpose should be judged by designation, nature of duties, qualifications and salary scales of the two posts).            | Power to make<br>temporary<br>appointments           |
| 24.4 The procedure laid down in sub- paragraphs 24.2 and 24.3 above should be followed in making temporary appointments, unless approval has been obtained to deviate from such procedure in respect of any post.   | Procedure for<br>making<br>temporary<br>appointments |
| 24.5 Every person selected for temporary appointment should be issued with a letter of appointment setting out fully his terms and conditions of service. The procedure laid down in sub-paragraph 18.14 of this Chapter should be followed.  | Letter of<br>appointment                             |

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| <p>24.6 Every person holding a temporary appointment in the Commission/Higher Educational Institution/ Institute should contribute to the Provident Fund in terms of Section 92 of the Act from the date of his appointment or the date on which he actually assumed duties in his post whichever occurs later.</p>   | <p>Contribution to the Provident Fund</p>               |
| <p>24.7 Temporary teaching staff (such as Temporary Assistant Lecturers, Temporary Demonstrators and Temporary Instructors etc.) should be appointed only for one academic year. Their services may be discontinued, if there is a vacation during the session or closure of the Higher Educational Institution/Institute for a period of not less than two months duration, and they may be recalled for employment for the balance period of the academic year or any extended period of the Academic Year.</p> | <p>Employment period of temporary teaching staff</p>    |
| <p>24.8 If the services of any member of the temporary teaching staff are required for a further period of less than one year, the Principal Executive Officer of the Higher Educational Institution/Institute in consultation with the Dean of the Faculty may extend his services for such period, provided that the total period of service does not exceed two years.</p>   | <p>Extension of service of temporary teaching staff</p> |
| <p>24.9 Extension of service of temporary teaching staff beyond two years may be granted only in exceptional cases where a person with equivalent or better qualifications is not available and it is absolutely essential to grant the extension. Prior approval of the Governing Authority should be obtained in such cases.</p>  | <p>Extension of service beyond two years</p>            |
| <p>24.10 Any person holding a temporary appointment in the Commission/a Higher Educational Institution/Institute who wishes to resign from his appointment before expiry of the term stipulated in the letter of appointment should give one month's notice in writing or pay one month's basic salary in lieu of such notice.</p>  | <p>Notice of resignation from temporary appointment</p> |



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| 24.10.1  | Where a member of the temporary teaching staff is unable to give a month's notice of termination of appointment and the Head of his Department of Study and the Dean of the relevant Faculty are satisfied with the reasons given for his inability to do so, the Principal Executive Officer of the Higher Educational Institution may in his discretion waive the requirement of such notice.  | Exemption in the case of temporary teaching staff |
| 24.11  | A casual employee is a person appointed as such on a daily pay basis for a short period to a post or as a stop gap measure to fill a temporary or permanent post pending the filling of the post on the approved basis, or to cope with an urgent short term requirement of the Commission/ Higher Educational Institution/ Institute.   | Casual employee                                   |
| 24.12  | The prior approval of the Commission/ Governing Authority as the case may be or its delegatee in appropriate cases should be obtained for making a casual appointment referred to in sub-paragraph 24.11, provided that in the case of an urgent short term requirement for a specific job not exceeding three months, the appointment may be made with the approval of the Chairman of the Commission or the Principal Executive Officer of the Higher Educational Institution/Institute as the case may be. Any extension of the appointment beyond three months should have the prior approval of the Commission/Governing Authority. | Approval of Governing Authority                   |
| <b>25. Appointment of Teachers from Overseas</b> |  |   |
| 25.1   | The recruitment of a teacher who is not a citizen of Sri Lanka from overseas may be considered where;  | When recruitment from overseas may be considered  |
| 25.1.1   | It is found that a suitably qualified person in any specified subject/field of study is not available for permanent appointment;   |   |

- 25.1.2 Steps are being taken to train a teacher in the subject/field of study;
- 25.1.3 It is not possible to cover the work adequately by a temporary appointment or with the services of visiting staff during the period of training of a teacher referred to in sub-paragraph 24.1.2.
- 25.1.4 It is not possible to obtain the services of a teacher from overseas by arrangement with a foreign university or research institute with the assistance of any foreign agency such as the UNESCO/ UNDP, WHO, the British Council or any other donor agency etc.,
- 25.2 The prior approval of the Minister in-charge of the subject of Higher/ University Education should be obtained through the University Grants Commission with the recommendation of the Governing Authority before any procedures are initiated to recruit a teacher from overseas. Prior approval of Governing Authority and Minister
- 25.3 Recruitment should be by overseas advertisement and the procedure set out in paragraph 17 for appointments by public advertisement should be followed and copies of the comprehensive notice in regard to the post be circulated to Sri Lanka Diplomatic Missions abroad through the Ministry of Foreign Affairs. Recruitment procedure
- 25.4 The appointment of a teacher from overseas should be on contract for periods not exceeding two years in the first instance and five years in all. In all such cases he should have a valid visa/work permit to stay in Sri Lanka. Appointment on contract
- 25.5 The conditions of employment of a teacher from overseas, including conditions of salary allowances, leave and passage, which will be embodied in the contract of employment, shall be as determined by the Governing Authority. Conditions of employment

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| 25.6 | The conditions of service of a teacher from overseas whose services have been obtained with the assistance of a foreign university/research institute or any foreign agency or by arrangement with such teacher shall be as agreed to with such foreign university/research institute or foreign agency or such teacher and approved by the Governing Authority and the Commission. | Teachers obtained with foreign assistance |
| 25.7 | All payments made to an overseas teacher shall be in the currency of Sri Lanka unless otherwise provided in the contract of employment and approved by the Central Bank.  | Payments in Local currency                |

## 26. Appointment of Visiting Lecturers

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| 26.1 | In view of the very high cost per lecture incurred in the case of visiting lecturers, the practice of obtaining visiting lecturers from outside the Higher Educational Institution/Institute concerned should be discouraged. Each institution should recruit suitable staff to meet the requirements of their courses and no new courses should be started without giving due consideration to the availability of staff within the institution itself.   | Appointment from outside be discouraged |
| 26.2 | The Principal Executive Officer of a Higher Educational Institution shall appoint visiting lecturers on the recommendation of the Head of the Department of Study and the Dean of the Faculty concerned; provided that where a person recommended for appointment does not satisfy all the requirements set out in sub-paragraph 26.9 below and he is satisfied that the appointment should however, be made, he shall make the appointment after obtaining approval of the Governing Authority. | Power to appoint visiting lecturers     |
| 26.3 | Visiting lecturers may be appointed when such experts are not available within the Faculty/institution and such appointments   | According to needs of Departments of    |

- should be strictly on a need basis. At the commencement of each academic year, the Head of Department of Study shall examine the areas of work which cannot be adequately served by the teachers of the Department or of other Departments of the institution and assess the number of visiting lecturers needed and the periods for which they are needed, in respect of that academic year.
- 26.4 All Higher Educational Institutions/Institutes should ensure that the available resources are fully utilized before obtaining the service of visiting lecturers to conduct lectures for other undergraduate and postgraduate courses by fixing norms for each and every lecturer of the Higher Educational Institution/ Institute.
- 26.5 Visiting lecturers may also be appointed as a stop-gap measure to fill the immediate needs of a Department of Study pending the appointment of a teacher, or where it has been found on advertisement that a suitably qualified person is not available for appointment in a permanent or temporary capacity.
- 26.6 If required, services of foreign experts in specialized fields may be obtained on specialized subjects through digital platform.
- 26.7 Subject to paragraph 26.1 above, the Head of the Department of Study shall make his recommendations through the Dean of the Faculty to the Principal Executive Officer on the number of visiting lecturers required by his Department for the academic year, the subjects, fields for which they are required, and the periods for which they are required, for his approval. In making his recommendations the Head of Department of Study should satisfy himself that financial provision is available to meet the fees and other expenses in respect of the appointments recommended by him, and that
- Study
- Resources be fully utilized
- As a stop-gap measure for vacancies
- Service of foreign experts
- Annual requirement of visiting staff

visiting lecturers from within the institution itself cannot be obtained.

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| 26.8    | Additional funds will not be available for utilization of visiting lecturer payments.  | No additional funds                                |
| 26.9    | Only such persons who satisfy the following requirements should be appointed as Visiting Lecturers:  | Qualifications of visiting lectures                |
| 26.9.1  | Possess;   |  |
|         | (a) a degree with first or second class or postgraduate or professional qualifications of a recognized university/ recognized professional body in the relevant subject/ field; and  |  |
|         | (b) not less than five (05) years of teaching/ professional experience in the relevant field.  |  |
| 26.9.2  | As far as practicable his residence or place of work is situated within a radius of thirty two (32) kilometres from the institution.   |  |
| 26.10   | The following procedure should be adopted for selection of suitable persons for appointment as Visiting Lecturers;   |  |
| 26.10.1 | Every institution should, in the first instance, make efforts to obtain visiting lecturers from the same institution/other Higher Educational Institutions/ Institutes and from recognized professional or academic or research organizations. | From same or other HEIs or recognized institutions |
| 26.10.2 | Where it is not possible for an institution to obtain visiting lecturers from the same institution or other Higher Educational Institutions/ Institutes or recognized professional organizations, required disciplines should be advertised.   | By advertisement                                   |

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| 26.10.3 All appointments of visiting lecturers should be made on the recommendations of a selection committee consisting of the Dean of the Faculty and the Head of the Department of Study which requires the services of the visiting lecturer, and a nominee of the Principal Executive Officer.   | Selection Committee                       |
| 26.10.4 The above provisions do not apply to Medical Faculties as visiting lecturers for Medical Faculties are obtained from medical institutions.  | Exemption to Medical Faculty              |
| 26.11 The appointment of a person from another Higher Educational Institution/Institute as a visiting lecturer should have the concurrence of the Principal Executive Officer of the institution in which the person is employed.   | Appointment of a teacher from another HEI |
| 26.12 The period of appointment of a visiting lecturer should not exceed one semester or an academic year. If the services of the same visiting lecturer are needed in the subsequent semester/ academic year, a fresh appointment should be made on the recommendation of the Head of Department of Study and the Dean of the Faculty concerned.   | Duration of appointment                   |
| 26.13 All persons appointed to deliver lectures on a visiting basis should be designated as 'Visiting Lecturers'. A former Associate Professor/ Professor/ Senior Professor of the same Higher Educational Institution or another Higher Educational Institution/ Institute appointed to give lectures on a visiting basis should also be designated as 'Visiting Lecturer' unless he is a Professor Emeritus in which case he may be designated as 'Visiting Professor'. | Designation                               |
| 26.14 The Principal Executive Officer of the Higher Educational Institution or a person delegated by him shall issue letters of appointment to persons selected for appointment as Visiting Lecturers, setting out the terms and conditions of  | Letters of appointment/ invitation        |

appointment. A copy of the letter of appointment should be furnished to the Auditor General as in the case of other appointments; provided that, where an eminent person is invited to give specific lectures, a letter of appointment is not required and the payment of his lecture fees etc. shall be made by the Bursar/Treasurer on a copy of such letter of invitation.

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| 26.15 | The Time Table for the work of visiting lecturers should be drawn up by mutual agreement. Where a visiting lecturer is required to deliver only one lecture of one hour's duration a week, the Time Table should be adjusted so that he will be given two hours of work per fortnight instead.                  | Time Tables                            |
| 26.16 | A visiting lecturer should sign his attendance and furnish such information as is required as to subjects and lecture hours, in a register or other record maintained for the purpose by the institution.   | Record of attendance and work          |
| 26.17 | Fees payable to visiting staff shall be prescribed by the Commission from time to time (Vide Appendix IV).  | Fees to visiting staff:<br>Appendix IV |
| 26.18 | Re-imbusement of travelling expenses upon claims made by visiting lecturers should be made on the recommendation of the Head of the Department of Study and with the approval of the Dean of the Faculty. Mode of travel and rates of payment shall be as laid down by the Commission.                          | Reimbursement of travelling expenses   |
| 26.19 | A visiting lecturer may borrow books in his subject/field from the Library of the institution on payment of a refundable deposit at a sum of money as determined by the Governing Authority of the Higher Educational Institution/Institute in accordance with the rules of the Library applicable to Teachers. | Borrowing Library Books                |
| 26.20 | The Principal Executive Officer of the Higher Educational Institution/Institute should ensure   | Maintenance of Records and             |

that all records and documents which are required by the Auditor General in regard to appointments, payments etc. of visiting lecturers are maintained and made available to him whenever required to do so.

Documents

## 27. Seniority

27.1 (a) Seniority of a person appointed to a post or grade in the Commission/Higher Educational Institution/ Institute shall be determined by the effective date of appointment or promotion to that post or grade as determined by the appointing authority and stipulated in the letter of appointment and the date of assumption of duties in that post or grade whichever occurs later.

Seniority on appointment

(b) When more than one person appointed and assumed duties on the same day in a particular post, all of them shall be treated as having the same seniority. However, when there is a need to determine the order of seniority of them, their order of seniority shall be determined by the cumulative total of marks obtained by them at the written/ trade tests and the interview held for recruitment in accordance with the Scheme of Recruitment and the Procedure for Appointment. Where there are persons who had obtained equal marks, all of them shall be treated as having the same seniority.

27.2 A person's seniority in a post or grade may be changed in the following circumstances;

Alteration in Seniority

(a) Where he fails to pass an Efficiency Bar by the due date (sub-paragraphs 28.5 and 28.6 of this Chapter);

(b) Where his probationary period is extended;

(c) Where an order of reduction in seniority is made as a disciplinary punishment.



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| 27.3   | Where a person is reverted to a lower post previously held by him, his seniority in the post or grade to which he is reverted shall be determined as follows;   | Seniority on reversion                               |
| 27.3.1 | When on disciplinary grounds a person is reduced in rank and reverted to a lower grade or post previously held by him, his seniority in the lower grade or post on such reversion shall be determined in accordance with the order of the Disciplinary Authority.   | Reversion on disciplinary grounds                    |
| 27.3.2 | When on abolition of office or due to redundancy, a person is reverted with the approval of the Commission / Governing Authority as the case may be, to a post or grade previously held by him, his seniority in the post or grade to which he is reverted should be, with the approval of the Commission / Governing Authority as the case may be, determined on the basis of the aggregate service he counts in that particular post or grade. This means that he will be junior to persons whose length of service in that post or grade is equal to or more than his service in that particular post or grade. If he has not passed any Efficiency Bar in that post or grade, he shall not be placed in seniority over any person who has been promoted over that Efficiency Bar. | Reversion on abolition of office, redundancy etc.,   |
| 27.3.3 | If a person who is permanently released for work outside the Commission / Higher Educational Institution /Institute is reverted at his own request and with the approval of the Commission/ Governing Authority as the case may be, to a post previously held by him, such reversion will be treated as a new appointment and his seniority shall be determined by the date of reversion.   | Reversion at his own request after permanent release |

Where on reversion, the Commission / Governing Authority allows him a salary step higher than the initial of the salary scale of the post, his seniority may be determined with reference to either his length of service in that post at the time he relinquished his appointment on release or to the length of time a person appointed on the initial of the salary scale would take to reach that salary step, whichever is less.

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| 27.3.4 | A person who has been temporarily released for service outside the university system will retain his seniority in his post or grade subject to his passing any Efficiency Bar which he is required to pass, provided that the temporary release was at the request of the Government on grounds of national policy. | Reversion after temporary release                       |
| 27.4   | If a person whose prior service has been terminated by resignation, vacation of post or by reason of unsatisfactory work and/or conduct is re-employed, he will not be entitled to any claim for seniority on account of his past services, and his seniority shall be determined by the date of his re-employment. | Re-employment after resignation, vacation of post, etc. |

## 28. Efficiency Bars

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| 28.1 | Promotion over an Efficiency Bar will be governed by the Scheme of Recruitment for any particular post or grade. When a test for Efficiency Bar is prescribed in the relevant Scheme of Recruitment, the Commission/ Higher Educational Institution / Institute as the case may be, is responsible for conducting the tests for Efficiency Bar annually. | Governed by the Scheme of Recruitment and Test |
| 28.2 | Where a test for Efficiency Bar is not prescribed in the relevant Scheme of Recruitment, the Principal Executive Officer of the Higher   | Certificate of promotion over Efficiency Bar   |

Educational Institution / Institute or the Secretary of the Commission as the case may be, must give a certificate that the person eligible for promotion over Efficiency Bar is in every respect fit for such promotion..

- 28.3 The certificate should not be granted unless the Principal Executive Officer of the Higher Educational Institution /Institute or Secretary of the Commission as the case may be, is satisfied that the person has fulfilled all the conditions stipulated in the Scheme of Recruitment for promotion over the Efficiency Bar and is capable of carrying out efficiently the work assigned to him. Where the passing of an examination is a condition of such promotion, the effective date of passing examination shall be as in paragraph 14 of this Chapter.
- 28.4 Where the Principal Executive Officer of the Institution/ Institute or the Secretary of the Commission as the case may be, is unable to give the certificate in terms of sub-paragraph 28.2, he shall report the matter to the Governing Authority /Commission as is appropriate. Disallowance of promotion over Efficiency Bar
- 28.5 When it is decided that a person is not fit for promotion over an Efficiency Bar, the decision with the reasons thereof must be communicated to him in writing. Such decision will operate as a deferment of the increment falling due until he is promoted over the Efficiency Bar. His case should be considered at the end of every six months thereafter until he is judged as fit for promotion over the Efficiency Bar. When certificate cannot be given; will operate as deferment of increment
- 28.6 If a person's promotion over Efficiency Bar is subject to passing a written examination, the candidate shall score at least 40% of the marks to become eligible to be summoned for the viva-voce test. Such candidate is required to score at least 40% at the viva-voce test for promotion over efficiency bar unless otherwise stipulated in the relevant Scheme of Recruitment. Minimum marks for written and viva-voce examinations

28.7 Where the Commission/ Governing Authority has for any special reason granted an extension of time in which to pass such examination, he may be allowed to draw increments (above the Efficiency Bar) during such extension of time allowed. If he does not pass the examination during the extension allowed, the increment which falls due after the expiry of that extension shall be deferred by a period of time equal to the time taken in excess of the extension allowed to pass the examination.

Disallowance due to failure to pass an Efficiency Bar examination

28.8 If for any reason a person in the employment of the Commission/ Higher Educational Institution/ Institute is exempted from an examination prescribed in respect of an Efficiency Bar, such exemption will operate only from the date on which it is granted (refer sub-paragraph 6.9 of Chapter VI). He will not be entitled to any benefits with retrospective effect by way of restoration of any increments which may have been deferred.

Exemption from Efficiency Bar examination

28.9 A person, whose promotion over an Efficiency Bar is not allowed by the appropriate authority of the Commission / Higher Educational Institution, may appeal to the Commission/ Governing Authority of the Higher Educational Institution, as the case may be, against such decision.

Appeals

Provided however, that no such appeal shall lie where the person's promotion over the Efficiency Bar is withheld only by reason of his failure to pass a prescribed examination.

## 29. Examinations for Recruitment, Confirmation, Promotion and Efficiency Bar

29.1 Where a Scheme of Recruitment in respect of a post or grade prescribes a written and/or oral examination for recruitment, confirmation in appointment, promotion or promotion over Efficiency Bar, a scheme of examination should

Scheme of examinations approved by the Commission/ Governing

be drawn up and the approval of the Commission /Governing Authority as the case may be, should be obtained.

Authority

Where an examination which is common to all such grades in the state sector is conducted by the Commissioner of Examinations, the approval of the scheme of examination by the Commission/ Governing Authority as the case may be is not necessary.

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| 29.2 | Copies of the scheme of examination should be made freely available to all persons to whom the examination is applicable.  | Scheme to be made freely available to candidates |
| 29.3 | Candidates at any of these examinations, other than examinations for recruitment from outside the Commission/ Higher Educational Institutions should have adequate notice of the scheme of examination or any amended scheme of examination.   | Notice of Scheme of Examination                  |
| 29.4 | Candidates at any of these examinations should have adequate notice of the date of the examination and at least three weeks' notice of the date of closing of applications for the examination.  | Notice of examination                            |
| 29.5 | In the case of all oral and/or written examinations applicable to recruitment or promotion examinations for all candidates/employees as the case may be, the examiners should be approved by the Chairman of the Commission /Principal Executive Officer of the Higher Educational Institution/Institute concerned.        | Approval of examiners                            |
| 29.6 | The Commission shall conduct the examinations for recruitment/ promotion, confirmation and Efficiency Bar examinations for various categories of staff of the Commission and Higher Educational Institutions/ Institutes as determined from time to time in terms of Schemes of Recruitment and Procedure for Appointment. | Examinations conducted by the Commission         |

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| 29.7       | All examinations other than those given in subparagraph 29.6 above will be conducted by the Higher Educational Institution/ Institute concerned.   | Examinations held by Higher Educational Institutions/ Institutes |
| 29.8       | Exemption from the requirement of passing an examination for confirmation, promotion or for promotion over Efficiency Bars may be granted by the Commission / Governing Authority of the Higher Educational Institution as is appropriate in each case where it is satisfied that the candidate has equivalent or higher qualifications. Exemption, when given, will operate as from the date on which it is given and will not have retrospective effect. | Exemptions   |
| <b>30.</b> | <b>Personal Files, Service Records and Certificates of Service</b>   |  |
| 30.1       | As soon as a person assumes the duties of his office on appointment to a post in the Commission/ Higher Educational Institution/ Institute, a personal file should be opened in respect of that person.  | Personal files   |
| 30.2       | The following documents should be included in a personal file:   | Documents to be included in a personal file                      |
|            | i Copy of the advertisement by which the person was recruited or the document received from the Government Agency (Paragraph 18.5)   |  |
|            | ii The person's application for the post together with annexes thereto   |  |
|            | iii Copy of the recommendation of the Selection Committee along with the Marks Sheet   |  |
|            | iv Copy of the decision of the Governing Authority regarding the appointment   |  |
|            | v Copy of the letter of appointment and the declaration of acceptance of the appointment on the terms and conditions offered   |  |

- vi Authenticated records of his previous employments, if any
- vii Authenticated copy of the Birth Certificate
- viii Authenticated copy of the NIC or the Passport
- ix Authenticated copies of educational/professional and other certificates which qualified him for appointment to the post. These Certificates should be verified from the relevant authorities and confirmation of such certificates should also be filed
- x Documents related to marital status
- ix Medical reports
- xii Duly perfected agreement
- xiii Affirmation / Oath of allegiance including the sixth amendment to the Constitution
- xiv Letter of assumption of duties
- xv Documents related to furnishing security if required.
- xvi Nominees for Universities Provident Fund/ Universities Pension Fund/ Gratuity
- xvii Authenticated copies of Birth Certificates of Spouse and Children, if any.
- xviii List of duties
- xix Documents relating to his transfers, promotions and salary revisions
- Xx Official reports relating to his character, competence, efficiency, conduct etc.
- Xxi Documents regarding any commendations, censures or any punishments inflicted on him on the results of an official inquiry or otherwise

(Note: The notes of any official inquiry should not be included in the personal file, but should be filed separately and cross reference given. Documents regarding any unproved charges or contemplated action against him should not be included in the personal file.)

- xxii Annual reports in regard to suitability for confirmation, made during his probationary period
- xxiii Documents regarding confirmation in appointment or any extension of probationary period
- xxiv Annual increment certificates
- xxv Documents carrying results of examinations for confirmations, promotions or promotion over Efficiency Bars;
- xxvi Documents relating to his promotions or promotions over Efficiency Bars
- xxvii Medical certificates in support of half pay or no-pay leave, maternity leave or lapsed leave
- xxviii Documents regarding award of scholarships, grant of over-seas leave for study, training, employment or other purposes, participation in seminars and conferences etc.; and copies of bonds and agreements if any, signed in this connection (Originals of Bonds and Agreements should be kept separately in safe custody)
- xxix Authenticated copies of documents related to all loans obtained from the Commission / Higher Educational Institutions / Institutes and/ or Banks/ Financial Institutions through the Commission/ Higher Educational Institutions/ Institutes and details of his obligations as a surety



- xxx Documents regarding termination of his appointment by retirement or resignation or vacation of post or dismissal or for unsatisfactory work and conduct during probation, etc., or death;
- xxxi Documents regarding terminal benefits;
- xxxii Copies of Letters of Release for employment in a State/other institution or otherwise, if any
- xxxiii Any other documents which the Chairman/Secretary of the Commission or the Principal Executive Officer/Registrar of the Higher Educational Institution/Institute as the case may be, have considered to be included in his personal file.
- xxxiv History sheet: vide paragraph 30(6) to paragraph 30(9) of this Chapter

30.3 Personal files should be strictly confidential and only persons authorised in that behalf should have access to them. No information whatsoever from a personal file should be divulged to any one or issued to anybody or institution without the expressed permission of the Secretary of the Commission/ Registrar of a Higher Educational Institution as the case may be. Personal files of officers, whether supervisory or otherwise, having custody of such files should be placed in the custody of their immediate superiors. Personal file of a supervisory officer through whom such files are usually forwarded should be sent direct to his superior officer. Personal files should not be carelessly allowed to remain on the tables of officers concerned.

Personal files are confidential

30.4 The record of service of a person employed in a permanent or temporary monthly paid capacity in the Commission/Higher Educational Institution/ Institute should be maintained in a History Sheet. The History sheet should be filed

Service particulars of permanent and temporary monthly paid

- of record in the personal file of the person concerned. staff
- 30.5 The service particulars of daily paid employees and the pay documents of such staff should be carefully preserved so that particulars of their daily paid service may be readily available if and when they are moved up to temporary monthly paid status or permanent status in the university system or elsewhere. Service particulars of daily paid staff
- 30.6 As soon as a person is appointed to a permanent post or a temporary monthly paid post, all the particulars required about the person so appointed shall be recorded in a History Sheet. Maintenance of History Sheets
- 30.7 The following particulars as are applicable to the person concerned should be promptly recorded in the History Sheet and authenticated; Particulars recorded in History Sheet
- (a) Appointments, acting appointments, probationary appointments, confirmations, extensions and terminations of probationary and acting appointments, transfers (excluding transfers within an institution not involving change of station or emoluments), promotions, releases, grant of increments and the salary position with each increment, suspension, stoppage, reduction or deferment of increment, promotion or disallowance of promotion over efficiency bars, interdictions, suspensions, reduction in rank, salary or allowance, dismissal, resignation, retirement, re-instatement, re-employment, death and terminal benefits etc.
  - (b) Total of vacation leave, sick leave, maternity leave, half pay and no pay leave taken each year; lapsed leave and study leave etc. as and when granted.

(c) Particulars of commendations, censures or disciplinary punishments.

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| 30.8  | Authentication of documents and entries referred to in sub-paragraphs 30.2, 30.6 and 30.7 should be done by an officer not below the rank of Assistant Registrar/Assistant Secretary who is in charge of establishment matters of the person concerned, by initialling and dating on the face of the document or against the entry thereby testifying to its correctness.  | Authentication of documents            |
| 30.9  | History Sheets should be checked from time to time, at least once a year by the relevant officer not below the rank of Assistant Registrar/Assistant Secretary to see that the entries are up-to-date.   | Periodical check of history sheet      |
| 30.10 | A person may be allowed access to his own history once in five years in the presence of an officer not below the rank of Assistant Registrar/Assistant Secretary and a certificate obtained from him that he is satisfied that the entries are correct.  | Accessible once in five years          |
| 30.11 | No certificate of character, merit or service should be given in any circumstances to any person while in the employment of the Commission/Higher Educational Institution/Institute.<br><br>However, a letter indicating a person's record of service may be furnished on the request of the person concerned for submission to a third party.   | Certificates of service                |
| 30.12 | A person who leaves the service on retirement, voluntary resignation or the termination of a temporary appointment for reasons other than unsatisfactory work or conduct may be provided at his request, with a certificate of service embodying the period of service in the Commission/ Higher Educational Institution/ Institute, positions held with dates served, cause of leaving the service, efficiency and general conduct. | Periods of service and general conduct |

No certificate of service should be issued to those who have violated their Bonds & Agreements until/unless such Bond values are fully settled.

Bond values to be fully settled

30.13 Certificates of service will be issued by the Secretary of the Commission/ Registrar or Secretary of the Higher Educational Institution/ officer designated for the purpose of an Institute in respect of non-academic staff in the employment of the Commission/Higher Educational Institution/ Institute as the case may be.

Authority issuing the certificates

30.14 As the main purpose of a certificate of service is to serve as reference concerning the person's period of service in the Commission/Higher Educational Institution/Institute and the nature of work done by him if and when he seeks employment elsewhere, all information which a prospective employer might fairly expect to obtain in regard to these matters should be given in sufficient detail. In the case of a person whose services have not been satisfactory, credit should be given for any good qualities shown which might enable him to gain employment in other walks of life.

Nature of particulars to be furnished

### 31. Appointment of Emeritus Professor

31.1 The Council of the University based on the recommendations of the Senate of the University and the Faculty Board concerned may award the title of Emeritus Professor for an academic member who may deem worthy of award of such title.

Nomination of Emeritus Professor

31.2 A person who has served in a Cadre Chair for a period of not less than 05 years in a university or Senior Professor/Professor who has served a period not less than 15 years or a retired/resigned Senior Professor/Professor who has served for a period of not less than 25 years of which at least 10 years as a Senior Professor/Professor is eligible to be nominated as an Emeritus Professor.

Criteria

- 31.3 Emeritus Professors have the right to use the title in publications, official ceremonies and prevail on such other privileges as the Council may decide from time to time.

Privileges

In so far where the printed order is concerned, Emeritus Professors stand next to the members of the Council and when their position in academic procession is concerned, they are ranked senior to Senior Professor and Professor.