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இலங்கைச் சனநாயக சோசலிசக் குடியரசு வர்த்தமானப் பத்திரிகை  
**The Gazette of the Democratic Socialist Republic of Sri Lanka**

අති විශේෂ அதிவிசேஷமானது EXTRAORDINARY

අංක 1142/20 - 2000 ජූලි 27 වැනි මහජනදින - 2000.07.27

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No. 1142/20 - THURSDAY, JULY 27, 2000

(ආණ්ඩුවේ බලය පිට ප්‍රසිද්ධ කරන ලදී.) (அரசாங்கத்தின் அதிகாரத்துடன் பிரசுரிக்கப்பட்டது) (Published by Authority)

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**PART I : SECTION (I) - GENERAL**

**Government Notifications**

**THE UNIVERSITIES ACT, No. 16 OF 1978**

L. D. - B 21 / 78 iv

ORDINANCE made by the University Grants Commission under Section 24A, read with Section 18, of the Universities Act, No. 16 of 1978.

CHITRA SRIYANI KARUNARATNE,  
Secretary,  
University Grants Commission.

Colombo,  
25th July, 2000.

**Ordinance**

1. This Ordinance may be cited as the Institute of Technology, University of Moratuwa Ordinance, No. 3 of 2000, and shall come into operation on 01st August, 2000.
2. This Ordinance shall apply to the Institute of Technology, University of Moratuwa (hereinafter referred to as the "Institute") established by order dated 7th March, 2000 made by the Minister under Section 24A of the Universities Act, No. 16 of 1978 (hereinafter referred to as the "Act").
3. The Institute shall be attached to the University of Moratuwa, Sri Lanka (hereinafter referred to as the "University").
4. Subject to the provisions of the Act, and of any appropriate instrument, and the powers, duties and functions of the University Grants Commission (hereinafter referred to as the "Commission") the Institute shall have the power :
  - (a) to conduct primarily the National Diploma in Technology Course (hereinafter referred to as "NDT") and similar level technological courses as may be approved by the Commission upon the recommendation of the Institute and the University ;
  - (b) to select and admit students in consultation with the University and in concurrence with the Commission ;
  - (c) to conduct, with the approval of the University, examinations for the purpose of ascertaining the persons who have acquired proficiency in the NDT Course and similar level technological courses (hereinafter referred to as the "Courses of Study") and to recommend to the University, persons who having passed such examinations and having satisfied such other conditions as the University may prescribe by By - laws in consultation with the Institute, are eligible for the award of diplomas, certificates and other academic distinctions of the University ;
  - (d) to determine, with the approval of the University and the concurrence of the Commission, the diplomas, certificates and other academic distinctions to be awarded in the Courses of Study ;

- (e) to co-operate, by way of exchange of teachers, students and scholars or otherwise, with Universities or Institutions in Sri Lanka or abroad, having objects similar or substantially similar to those of the Institute ;
- (f) to recommend to the University the recognition of examinations passed and the periods of learning or study for persons seeking admission to the Institute and to withdraw such recognition, as may be prescribed by By-laws ;
- (g) to determine in concurrence with the University and with the approval of the Commission, the setting up of Divisions and reorganization of existing Divisions ;
- (h) to erect, equip, and maintain for the purpose of the Institute, libraries, laboratories and other buildings ;
- (i) to recommend to the Commission with the concurrence of the University, the institution of such teaching, administrative and other posts as may be required for the purpose of the Institute and the abolition or suspension of such posts ;
- (j) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other prizes in consultation with the University ;
- (k) to make arrangements for conducting courses of study or parts of such courses of study in places outside the Institute in accordance with any By-law providing for the same ;
- (l) to regulate and provide for residence, discipline and well-being of students and teachers, officers and other employees of the Institute ;
- (m) to establish and manage halls of residence, to license lodging houses providing residential facilities to students and to provide such other services and facilities as may be necessary for the residence of students of the Institute ;
- (n) to assist students of the Institute to obtain loans from banks and other agencies in accordance with By-laws providing for the same ;
- (o) to demand and receive fees in accordance with any Rule providing for the same ; and
- (p) to do all such other acts and things, as may be required in the exercise of the powers of the Institute.

5. The Officers of the Institute shall be the following :-

- (i) the Director ; and
- (ii) the holder of any other post declared by Ordinance to be a post, the holder of which is an officer for the purpose of this paragraph.

6. (1) The first Director of the Institute shall be appointed by the Council of the University (hereinafter referred to as the "Council") with the concurrence of the Commission. Every subsequent Director shall be appointed by the Council with the concurrence of the Commission from a panel of three persons recommended by the Board of Management of the Institute.

Provided, however, that, no person shall be appointed as Director of the Institute for more than two consecutive terms.

(2) The Director shall, unless he vacates office earlier or is removed from office under sub-paragraph (3) hold office for a period of three years reckoned from the date of his appointment or until he completes his sixty-fifth year, whichever event occurs earlier.

(3) The Director shall be removed from office by the Council on a vote of censure passed by not less than two-third of the total membership of the Board of Management, at a Special Meeting convened for the purpose. The members present at such meeting shall elect from among themselves a person, other than the Director to preside at such meeting.

(4) The Director who resigns or is removed from office may, if he was a member of the staff of a Higher Educational Institution immediately prior to his appointment as Director, revert to his substantive post in such Higher Educational Institution, provided that he has not reached the age of retirement of his earlier post.

(5) If the Director, by reason of illness, absence from Sri Lanka, or other cause, is temporarily unable to perform the duties of the office, the Vice-Chancellor of the University (hereinafter referred to as the "Vice-Chancellor") shall, within seven days of the occurrence of such inability, make such arrangements as it may think fit for carrying on the duties of the office of Director. Until such arrangements are made, the Registrar of the University (hereinafter referred to as the "Registrar") shall carry on the routine duties of such office.

(6) If a vacancy occurs in the office of the Director, the Vice-Chancellor shall, within seven days of the occurrence of such vacancy, make such arrangements as he may think fit, for carrying on the duties of the office. Until such arrangements are made, the Registrar shall carry on the routine duties of the office.

7. (1) The Director shall be a full time officer of the Institute and shall be the Principal executive officer and the Principal academic officer of the Institute. He shall be an ex-officio member of the Board of Management and an ex-officio member of the Board of Studies. He shall be entitled to be present and speak at any meeting of any other Authority or body of the Institute but shall not be entitled to vote at any such meetings, unless he is a member of such other Authority or body.

(2) It shall be the duty of the Director, in accordance with such directions as may from time to time be lawfully issued to him in that behalf by the Board of Management, to ensure that the provisions of the Act and of any Appropriate Instrument in so far as they relate to the Institute, are duly observed, and he shall have and may exercise all such powers as he may deem necessary for the purpose.

(3) It shall be the duty of the Director to give effect, or to ensure that effect is given, to the decisions of the Board of Management.

(4) The Director shall be the Accounting Officer of the Institute.

(5) The Director shall be responsible, under the direction of the Vice-Chancellor, for the maintenance of discipline within the Institute.

8. The Authorities of the Institute shall be the following :-

- (a) the Board of Management;
- (b) the Board of Studies;
- (c) the Divisional Committees; and
- (d) such other bodies as may be approved by the Commission.

9. The Board of Management (hereinafter referred to as the "Board") shall be the academic and executive body of the Institute, and shall consist of the following persons :-

(1) the following ex-officio members, namely -

- (a) the Director ;
- (b) the Secretary to the Ministry of the Minister in-charge of the subject of Higher Education or his nominee ;
- (c) the Secretary to the Ministry of the Minister in-charge of the subject of Shipping or his nominee ;
- (d) the Chairman, National Apprenticeship and Industrial Training Authority or his nominee ;
- (e) the Dean of the Faculty of Engineering, of the University ;
- (f) the Dean of the Faculty of Architecture, of the University ;

(2) the following other members, namely -

- (a) one representative nominated by the Council from among its members ;
- (b) one member elected by the Senate of the University (hereinafter referred to as the "Senate") from among its members ;
- (c) two members elected by the Board of Studies from among its members ;
- (d) three members appointed by the Commission from among persons who have rendered distinguished service in industrial, technological, educational, professional or administrative spheres.

10. (1) The Chairman of the Board shall be elected by the members thereof, from among their number and shall preside at all meetings of the Board. In the absence of the Chairman from any meeting of the Board, the members present at such meeting shall elect any member from among the members present, to preside at such meeting.

(2) Each nominated, appointed or elected member shall, unless he vacates office earlier, hold office for a period of three years reckoned from the date of his nomination, appointment or election, as the case may be, and shall, unless removed from office, be eligible for re-nomination, re-election or re-appointment, as the case may be.

Provided, however, that if any nominated, elected or appointed member vacates his office prior to the expiry of his term, his successor shall, unless he vacates his office earlier, hold office for the un-expired period of the term of office of his predecessor.

Provided further that a nominated or elected member shall hold office so long as he holds the status by virtue of which he is a member of the Board.

(3) Any elected member of the Board may resign his office by a written request addressed to the Director.

(4) The nominated member of the Board may resign his office by a written request addressed to the Chairman of the Council.

(5) Any appointed member of the Board may resign his office by a written request addressed to the Chairman of the Commission.

(6) Any appointed member of the Board who without leave of absence fails to attend three consecutive meetings of the Board, shall be deemed to have vacated his office as a member of the Board, and the Commission shall having regard with the provisions of paragraph 9(2) (d) appoint another person to fill such vacancy.

(7) A member of the Board who is an employee of the Institute shall not be entitled to any remuneration, but any other member may be paid such remuneration or allowances as the Minister shall in consultation with the Minister in-charge of the subject of Finance determine.

(8) The Quorum for any meeting of the Board shall be one third of the total membership of the Board.

(9) The Board shall meet whenever necessary, so however, that it meets on not less than eight occasions in each year.

(10) The Chairman of the Board shall, whenever he deems necessary or within one week upon the receipt by him of a request in writing from not less than one-third of the total membership of the Board, convene a special meeting of the Board.

(11) Subject to the provisions of the Act and of any Appropriate Instrument, the Board shall exercise, perform and discharge the following powers, duties and functions ;

(a) to hold, control and administer the property and funds of the Institute ;

(b) to regulate and to determine all matters concerning the Institute in accordance with the provisions of the Act and of any Appropriate Instrument ;

(c) to administer any funds placed at the disposal of the Institute for specific purposes ;

(d) to receive and accept with the concurrence of the Commission, bequests, donations and other grants of property to the Institute;

(e) to consider the annual report and the annual accounts of the Institute and to submit such report and such accounts to the University and the Commission ;

(f) to prepare the financial estimates of the Institute and to submit such estimates to the University and the Commission ;

(g) to recommend to the University, in consultation with the Board of Studies –

(i) the diplomas, certificates and other academic distinctions which shall be awarded in courses of study ;

(ii) the courses of study and training to be followed and other conditions to be satisfied by students who wish to qualify for such diplomas, certificates and other academic distinctions ;

(iii) The persons suitable for appointment as examiners of the Institute ;

(iv) the mode and conditions of competition for fellowships, scholarships, exhibitions, bursaries, medals and other prizes;

(h) subject to the provisions of the Act, to make By-laws for any matter in respect of which By-laws are authorized to be made and to submit such By-laws to the Council for enactment:

Provided, however, that no By-law relating to courses of study and examinations shall be made except after consideration of reports from the Board of Studies ;

(i) to make rules for any matter in respect of which Rules are authorized to be made and to submit of such rules to the Council or the Senate, as the case may be, for enactment ;

(j) to provide the buildings, premises, furniture, equipment and other material needed for carrying out the work of the Institute ;

(k) to recommend to the Commission in consultation with the University ;

(i) the Institution, of such teaching, administrative and other posts as may be required for the purposes of the Institute and the abolition or suspension of such posts; and

(ii) the qualifications of teachers, officers and other employees to be appointed to the Institute ;

(l) to recommend to the University to suspend, dismiss or otherwise take disciplinary action against, persons in the employment of the Institute;

(m) to recommend to the Council of the University such persons as are suitable to be appointed to the staff of the Institute;

(n) to recommend to the Council of the University such persons as are suitable to be assigned for a specific period or transferred from a Faculty of the University and attached to the Institute ;

(o) to appoint such number of Standing Committees or ad-hoc Committees as it may deem fit, to specify the terms of reference of such committees and to consider and approve their reports, with or without modification, or to reject such reports;

(p) to recommend to the Commission, in consultation with the Board of Studies and the concurrence of the University, the criteria for the selection and the admission of students to courses of study ;

(q) to appoint a Board of Welfare, which shall also include representatives of the students, for the promotion of the general well-being of the students of the Institute, and to specify the composition, powers, duties and functions of such Board ;

(r) to invest with the approval of the Commission any moneys belonging to the Institute including any unapplied income, in any Security in which under the provisions of Section 20 of the Trusts Ordinance or any other written law, it is lawful to invest trust moneys; or to invest any such moneys in the purchase of immovable property in Sri Lanka or vary such investments, or to place in fixed deposits in any bank approved by the Commission, any portion of such moneys not required for the purpose of the Institute's immediate expenditure; and

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பகுதி I : தொகுதி (I) — இலங்கைச் சனநாயக சோசலிசக் குடியரசு வர்த்தமானப் பத்திரிகை — அதிவிசேஷமானது — 2000.07.27

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(s) to exercise all other powers of the Institute, the exercise of which is not otherwise provided for in this Ordinance or any other Appropriate Instrument;

Provided, that no resolution shall be passed by the Board in relation to any academic matter unless the Board of Studies has first been given an opportunity of recording and transmitting its opinion thereon to the Board;

Provided further that no resolution so passed shall be acted upon except with the concurrence of the University.

In this paragraph, 'academic matter' means any matter which is subject to the control and general direction of the Board of Studies and the Senate.

12. (1) There shall be a Board of Studies which shall consist of the following persons:-

- (a) the Director, who shall be the Chairman;
- (b) the Librarian or the person in-charge of the library of the Institute;
- (c) the permanent teachers of the Institute;
- (d) the engineer or teacher or in-charge of Industrial training;
- (e) five members elected by the academic staff providing academic instructions in the Institute but not classified as teachers, from among their number;
- (f) two students elected by the Students Council of the Institute from among their number; and
- (g) two members not being staff of the Institute, elected by the Board from among persons of eminence in the area of studies relevant to the Institute.

(2) Each member elected under Clause (e) of paragraph (1) shall, unless he vacates office earlier, hold office for a period of three years reckoned from the date of his selection and shall unless removed from office, be eligible for re-election:

Provided however that, if any such elected member vacates office prior to the expiry of his term, his successor shall, unless he vacates office earlier, hold office for the unexpired period of the term of office of his predecessor:

Provided further that such elected member shall hold office so long as he holds the status by virtue of which he is a member of the Board of Studies.

(3) The members elected under Clause (f) of sub-paragraph (1) above shall -

- (a) be excluded from any meeting of the Board of Studies relating to examinations and connected matters and any such meeting shall, notwithstanding such exclusion, be deemed to have been duly held.
- (b) hold office during their period of studentship at the Institute;

(4) Any elected member of the Board of Studies may resign his office by a written request addressed to the Director;

(5) The quorum for a meeting of the Board of Studies shall be one third of its total membership;

(6) The Board of Studies shall meet whenever necessary so however that it meets on not less than ten occasions in each year.

13. (1) Subject to the provisions of the Act and of any appropriate Instrument, the Board of Studies shall have control and general direction of instruction, education, research and examinations of the Institute.

(2) Without prejudice to the generality of the powers conferred upon it by sub-paragraph (1), the Board of Studies, shall exercise, perform and discharge the following powers, duties and functions:-

- (a) to consider and report on any matter referred to it by the Board;
- (b) to present recommendations and reports to the Board after consideration of reports from a division or divisions on matters connected with the courses of study, teaching programme or programmes, and examinations ;
- (c) to appoint committees, which may include persons not being members of the Board or Studies for the purpose of considering and reporting on any special subject or subjects ;

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- (d) to recommend to the Board after consideration of reports from a Division or Divisions, requirements for the admission of students to courses of study and examinations ;
- (e) to recommend to the Board after consideration of reports from a Division or Divisions such persons as are suitable for recognition as examiners ;
- (f) to recommend to the Board after consideration of reports from a Division or Divisions, persons, who, having passed the prescribed examinations and having satisfied other prescribed conditions are eligible for the award of diplomas, certificates and other academic distinctions ;
- (g) to recommend to the Board after consideration of reports from a Division or Divisions the mode and conditions of competition for fellowships, scholarships, exhibitions, bursaries, medals and other prizes ;
- (h) to recommend to the Board after consideration of reports from a Division or Divisions, the names of persons suitable for the award of fellowships, scholarships, exhibitions, bursaries, medals and other prizes.

14. (1) Each Division shall have a Head who shall be appointed from among the permanent teachers in the speciality by the Board upon the recommendation of the Director.

(2) The Head of each Division shall, subject to the provisions of any Appropriate Instrument, hold office for a period of three years reckoned from the date of his appointment and shall, unless removed from office, be eligible for re-appointment.

(3) Where, any Head of Division is by reason of leave or absence, illness or other cause, temporarily unable to perform the duties of his office for a period not exceeding three months, the Director shall appoint another teacher in the Division to act in his place.

Where, however, any Head of Division retires or resigns, or is for any other reason unable to perform the duties of his office for a period exceeding three months, the post of Head of Division shall be deemed to be vacant, and the Director shall appoint a new Head from among the teachers in the Division.

15. (1) Each Division shall have a Divisional Committee consisting of the following persons :-

- (a) the Head of the Division, who shall be the Chairman ;
- (b) all permanent staff providing academic instructions in the speciality ;
- (c) two representatives from Industry, elected by the Divisional Committee.

(2) Each Divisional Committee shall discharge the following functions :-

- (a) consider and report on any matter referred to it by the Board of Studies ;
- (b) present recommendations and reports on all matters connected with the courses of study in respect of its speciality to the Board of Studies.

(3) The quorum for each Divisional Committee shall be one third of the total membership.

(4) Each Divisional Committee shall meet whenever necessary, so however that it meets on not less than three occasions in each year.

16. The Financial year of the Institute shall be the same as the financial year of the Government.

17. (1) The Institute shall have a fund called the Institute of Technology Fund (hereinafter referred to as the " Fund "), into which shall be paid :-

- (a) all fees to be paid to the Institute in accordance with the provisions of any Appropriate Instrument ;
- (b) all income derived from endowments ;

(c) all moneys provided by parliament and disbursed by the Commission as grants in aid of the Institute ; and

(d) such other moneys accruing to the Institute from any source whatsoever.

(2) A summary of all sums of money paid in to the Fund in the course of a particular month, classified under the appropriate heads of revenue shall, before the end of the next ensuing month, be submitted by the Director to the Commission for its information.

18. It shall be the duty of the Director -

(a) to keep the accounts of the Institute in such and manner as may be specified by the Board;

(b) to receive all moneys paid into the Fund and to credit such moneys to the proper heads of accounts;

(c) to make all authorized payments; and

(d) to prepare for the Board such estimates as are required by the Commission and the annual financial appropriations of the ensuing year;

Provided, however, that income derived from grants made for specific purposes or from endowments for specific objects, shall be separately accounted for in the accounts of the Institute, and that no payment shall be made from such income for the general purposes of the Institute or for any purpose or object other than that for which such grants or endowments were respectively made.

19. (1) The Institute shall prepare an annual statement of accounts, and statistics relating to its activities in such form and manner and containing such particulars as the Commission may from time to time specify.

(2) The books of accounts of the Institute shall be kept at the office of the Institute.

20. Such provisions of Part XIII of the Act as are relevant to the auditing of the accounts of a Higher Educational Institution shall, mutatis, mutandis, apply to and in relation to the auditing of the accounts of the Institute.

21. (1) The staff of the Institute shall consist of such officers, teachers and other employees as it may with the concurrence of the University and the approval of the Commission deem necessary for the efficient exercise, performance and discharge of the powers, duties and functions of the Institute.

(2) On the establishment of the Institute, the staff of the Institute shall be provided on release by the University from among its own staff, or be appointed by the Commission or the University, as the case may be. The provisions of Part X of the Act shall, mutatis, mutandis, apply to and in relation to appointments to the staff of the Institute.

(3) Where an officer, teacher or other employee of the University has been released for service to the Institute on a full-time basis, the Institute shall pay him the salary and the allowances of his substantive post in the University. In any other case, the Institute may pay such officer, teacher or other employee, such allowance as it may determine in consultation with the University and the approval of the Commission.

(4) The staff of the Institute shall be subject to the direction and the disciplinary control of the Director.

22. If any question arises as to whether any person has been duly elected, appointed or nominated or as to whether any person is entitled to be, a member of any Authority, Board, Committee or other body of the Institute, such question shall be referred to the Commission, whose decision thereon shall be final.

23. In this Ordinance -

“Act” means the Universities Act, No. 16 of 1978 as amended;

“Appropriate Instrument” shall have the same meaning as in the Act;

“Commission” means the University Grants Commission established under the Act;

“Teacher” means a Professor, Associate Professor, Senior Lecturer or Lecturer and the holder of any post declared by Ordinance to be a post, the holder of which is a teacher.