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

අති විශේෂ අතිවිශේෂமானது EXTRAORDINARY

අංක 909/13 - 1996 පෙබරවාරි 09 වැනි සිකුරාදා - 1996.02.09

909/13 ஆம் இலக்கம் - 1996 ஆம் ஆண்டு பெப்புருவரி மாதம் 09 ஆம் திகதி வெள்ளிக்கிழமை  
No. 909/13 - FRIDAY, FEBRUARY 09, 1996

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

## PART I : SECTION (I) – GENERAL

### Government Notifications

L.D.-B 21/78 IV

THE UNIVERSITIES ACT, No. 16 OF 1978

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

Secretary,  
University Grants Commission.

Colombo,  
8th February, 1996.

Ordinance

1. This Ordinance may be cited as the Postgraduate Institute of Science Ordinance, No. 1 of 1996 and shall come into force on 12th February, 1996.
2. The Ordinance shall apply to the Postgraduate Institute of Science (hereinafter referred to as the "Institute") established by Order 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 Peradeniya, Sri Lanka (hereinafter referred to as the "University").

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 பகுதி I : தொகுதி (1) — இலங்கைச் சனநாயக சோசலிசக் குடியரசு வர்த்தமானப் பத்திரிகை — அதிவிசேஷமானது — 1996.02.09  
 PART I: SEC. (1)-GAZETTE EXTRAORDINARY OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA- 1996.02.09

4. Subject to the provisions of the Act and of any appropriate instrument, and the powers, duties and functions of the Commission, the Institute shall have power-

- (a) to admit students;
- (b) to provide for postgraduate instruction, training and research in such specialities in Science, as may be approved by the Commission upon the recommendation of the Institute and the University;
- (c) to determine with the approval of the University and the concurrence of the Commission the postgraduate degrees, diplomas, certificates and other academic distinctions to be awarded in the several specialities in Science;
- (d) to conduct with the approval of the University, postgraduate examinations for the purposes of ascertaining the persons who have acquired proficiency in the several specialities in Science, 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 postgraduate degrees, diplomas, certificates and other academic distinctions of the University;
- (e) to co-operate, by way of exchange of teachers, students and scholars with Universities or Institutions in Sri Lanka or abroad, having objects similar or substantially similar to those of the Institute;
- (f) to recommend for purposes of recognition by the University, the examinations passed, and the periods of learning or study pursued, by persons seeking admission to, or by students of the Institute at Universities and places of learning of University level, as being equivalent to such examinations and periods of learning or study in the Institute, or such part thereof, as may be prescribed by By-law and to recommend the withdrawal of such recognition at any time;
- (g) to erect, equip and maintain for the purpose of the Institute, libraries, laboratories and other buildings, for instructional, training or research purposes;
- (h) to recommend to the University the institution, abolition or suspension of Professorships, Associate Professorships, Senior Lectureships, Lectureships and other posts as may be required for the purposes of the Institute;
- (i) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other prizes;
- (j) to make arrangements for conducting research and courses or parts of courses in places outside the University and the Institute in accordance with any By-law providing for the same;
- (k) to appoint with the concurrence of the University such persons as may be approved by the Institute as teachers, examiners and research supervisors of the Institute;
- (l) to demand and receive fees in accordance with any Rule providing for the same; and
- (m) 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:-

- (a) the Director; and
- (b) any other Officers determined by the Commission.

6. (1) The first Director of the Institute shall be appointed by the Commission upon the coming into force of this Ordinance. Every subsequent Director shall be appointed by the Commission from a panel of three persons recommended by the Board of Management of the Institute. Provided, however, no person shall be appointed as Director of the Institute for more than two consecutive terms.

(2) Where a member of the staff of a Higher Educational Institution is appointed Director such Institution shall release such member to accept the post of Director in this Institute.

(3) The Director shall, unless he vacates office earlier or is removed from office under sub-paragraph (4), 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.

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

(5) 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 completed his sixty-fifth year.

(6) If the Director, by reason of illness, absence from Sri Lanka, or other cause is temporarily unable to perform the duties of his office, the Commission shall, upon the occurrence of such inability, make such arrangements as it may think fit for carrying on the duties of the office. Until such arrangements are made, the Registrar of the University shall carry on the routine duties of such office.

(7) If any vacancy occurs in the office of Director, the Commission shall, upon the occurrence of such vacancy, make such arrangements as it may think fit, for carrying on the duties of the office of Director, until a permanent appointment is made under sub-paragraph (1). Until such arrangements are made, the Registrar of the University shall carry on the routine duties of such 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 thereof. He shall be an ex-officio member and Chairman of the Board of management and an ex-officio member of each Board of Study of the Institute. He shall be entitled to convene, 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 meeting 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 provisions of this Ordinance 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 and of each Board of Study.

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

(5) The Director shall be responsible 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 Boards or the Boards of Study; and

(c) 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 the nominee of such Secretary;

(c) the Secretary to the Ministry of the Minister in charge of the subject of Finance or the nominee of such Secretary;

(d) the Secretary to the Ministry of the Minister in charge of the subject of Science and Technology or the nominee of such Secretary;

(e) the Director, Institute of Fundamental Studies established by Act, No. 55 of 1981;

(f) the Director, Ceylon Institute of Scientific and Industrial Research established by Act, No. 15 of 1955;

(g) the Director-General, Natural Resources, Energy and Science Authority of Sri Lanka established by Act, No. 78 of 1981;

(h) the Director-General, Geological Survey and Mines Bureau established by the Mines and Minerals Act, No. 33 of 1992;

(i) the Director-General, Central Environmental Authority established by Act, No. 47 of 1980;

(j) the Director-General, National Aquatic Resources, Research and Development Agency established by Act, No. 54 of 1981;

(k) the Director-General, National Institute of Education established by Act, No. 28 of 1985;

(l) Director-General, Agriculture;

(m) President, Federation of Chamber of Commerce and Industry of Sri Lanka or his nominee;

(n) the Deans of the Faculties of Science of the Universities established under the Act or their nominees; and

(2) The following other members, namely-

(a) one member elected by the members of each Board of Study from among themselves;

(b) five members appointed by the Commission from among persons who have rendered distinguished service in the educational, professional, scientific, industrial and administrative spheres.

10. (1) The Chairman of the Board shall be the Director who shall preside at all meetings of the Board. Where the Chairman is unable to preside at any meeting by the Board the members present at such meeting shall elect a member from among themselves to preside at such meeting.

(2) Any elected or appointed member of the Board shall, unless he vacates office earlier, hold office for a term of three years, reckoned from the date of his election or appointment, as the case may be, and shall be eligible for re-election or re-appointment:

Provided, however, that if any 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 unexpired portion of the term of office of the member whom he succeeds:

Provided, further, that each elected member shall hold office so long as he is a member of the Board of Study which elected him as a member of the Board.

(3) Any elected member of the Board may resign his office by writing under his hand addressed to the Director.

(4) Any appointed member of the Board may resign his office by writing under his hand addressed to the Chairman of the Commission.

(5) 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 to the provisions of paragraph 9(2)(b) appoint a person to fill the resulting vacancy.

(6) The members of the Board shall be paid such remuneration or allowances as the Minister shall, in consultation with the Minister in charge of the subject of Finance, determine.

(7) The quorum for any meeting of the Board shall be one-third of its total membership.

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

(9) The director shall, whenever he thinks necessary or within one week upon the receipt by him of a written requisition from not less than one-third of the total membership of the Board, convene a special meeting of the Board.

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

(2) Without prejudice to the generality of the powers conferred upon it by sub-paragraph (1), 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, subject to the directions of the University;
- (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 or 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 or Boards of study, the postgraduate degrees, diplomas, certificates and other academic distinctions which shall be awarded in the several specialities in Science, and the Courses of Study, and training to be followed, the examinations to be passed and the other conditions to be satisfied by students who wish to qualify for such degrees, diplomas, certificates and other academic distinctions;
- (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 the drafts of such By-laws to the Council of the University for enactment;
- (i) to make Rules for matters in respect of which Rules are authorized to be made and to submit the drafts of such Rules to the Council or the Senate, as the case may be, of the University for enactment;
- (j) to provide the buildings, premises, furniture, equipment and other material required for carrying on the work of the Institute;
- (k) to recommend to the University -
  - (i) the institution of Professorships, Associate Professorships, Senior Lectureships, Lectureships and other posts as are required for the purposes of the Institute and the abolition or suspension of such Professorships, Senior Lectureships, Lectureships, and other posts; and
  - (ii) the qualifications of teachers, officers and other employees to be appointed to the Institute;
- (l) to make recommendations to the University to suspend, dismiss or otherwise punish persons in the employment of the Institute;
- (m) to recommend to the Council of the University such persons as are suitable for recognition as teachers and examiners of the Institute;

- (n) to recommend to the Commission, after consideration of reports from the relevant Board or Boards of Study and with the concurrence of the University-
- (i) schemes for the re-organization of existing Boards of Study and the organization of new Boards of Study; and
  - (ii) the assignment of specialities in Science to the respective Boards of Study;
- (o) to appoint such number of Standing Committees of ad-hoc Committees as it may deem fit, and to specify their terms of reference; to consider their reports and to either approve such reports, whether with or without modification, or to reject such reports;
- (p) to determine, in consultation with the relevant Board or Boards of Study and the concurrence of the University, the requirements for the admission of students to Courses of Study.

12. The Institute shall establish a Board of Study in respect of each of the following specialities in Science and for such other speciality of Sciences approved by the Commission, upon the recommendation of the Board and the University:-

- (a) Biochemistry and Molecular Biology;
- (b) Chemical Sciences;
- (c) Earth Sciences;
- (d) Environmental Science;
- (e) Mathematics;
- (f) Physics;
- (g) Plant Sciences;
- (h) Science Education;
- (i) Statistics and Computer Science;
- (j) Zoological Sciences.

13. (1) Each Board of Study shall consist of the following persons-

- (a) the Director;
- (b) Head of the relevant Department of the Faculty of Science of the University;
- (c) four members appointed by the Board from among the teachers in the University specialized in the relevant field of study, on the recommendation of the University;
- (d) three members appointed by the Board from among persons of eminence in the appropriate speciality in Science.

(2) Any Board of Study may with the concurrence of the Board co-opt one or more than one person as a member of such Board of Study for a specific purpose and for a specified period, but no person so co-opted shall have the right to stand for election or to vote at any meeting of such Board of Study.

(3) (a) Any appointed member shall, unless he vacates office earlier, hold office for a period of three years reckoned from the date of his appointment, and shall be eligible for re-appointment;

Provided, however, that if any 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 unexpired part of the term of office of the member whom he succeeds.

(b) Any appointed member of the Board of Study may resign his office by writing under his hand addressed to the Director.

(c) Any appointed member of the Board of Study who without leave of absence fails to attend three consecutive meetings of the Board of Study shall be deemed to have vacated his office as a member of the Board of Study and the Board shall having regard to the provisions of sub-paragraph (c) of paragraph (1) of this regulation appoint a fit person to fill the resulting vacancy.

(4) Each Board of Study shall have a Chairman who shall be elected by that Board of Study from among its members.

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 PART I: SEC. (1)-GAZETTE EXTRAORDINARY OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA- 1996.02.09

- (5) Each Board of Study shall have a Secretary who shall be elected by that Board of Study from among its members.
- (6) The quorum for any meeting of a Board of Study shall be four members, excluding co-opted members, if any.
- (7) Each Board of Study shall meet whenever necessary, so however that it meets on not less than six occasions in each year.

14. (1) Subject to the provisions of the Act and of any appropriate instrument, each Board of Study shall have control and general direction of instruction, education, research and examinations in the relevant speciality in science.

(2) Without prejudice to the generality of the powers conferred it by paragraph (1), each Board of Study shall exercise, perform and discharge the following powers, duties and functions in respect of the relevant speciality in science:

- (a) to consider any report on any matter referred to it by the Board;
- (b) to present recommendations and reports to the Board on all matters connected with the Courses of Study, teaching programme or programmes, and examinations in that speciality in science;
- (c) to appoint Committees, which may include persons, not being members of the Board of Study for the purpose of considering and reporting on any special subject or subjects;
- (d) to recommend to the Board the requirements for the admission of students to Courses of Study and examinations;
- (e) to recommend to the Board such persons as are suitable for recognition as teachers and examiners;
- (f) to recommend to the Board persons, who, having passed the prescribed examinations in that speciality in Science and having satisfied other prescribed conditions, are eligible for the award of postgraduate degrees, diplomas, certificates, and other academic distinctions in that speciality;
- (g) to recommend to the Board the mode and conditions of competition for fellowships, scholarships, exhibitions, bursaries, medals and other prizes;
- (h) to recommend to the Board the names of persons suitable for the award of fellowships, scholarships, exhibitions, bursaries, medals and other prizes; and
- (i) to recommend to the Board of Management-
  - (i) schemes for the re-organisation of existing Boards of Study and the organization of new Boards of Study; and
  - (ii) the assignment of specialities in Science to the respective Boards of Study.

15. (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) The staff of the Institute shall be provided on release by the University from among its staff, or be appointed by the Commission or the University, as the case may be.

(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 the officer, teacher or other employee concerned, 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.

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 to be called the Postgraduate Institute of Science Fund (hereinafter referred to as the "Fund") into which shall be paid -

- (a) fees to be paid to the Institute in accordance with the provisions of any appropriate instrument;
- (b) income from endowments;
- (c) moneys provided by Parliament and disbursed by the Commission as grants in aid of the Institute; and
- (d) all other moneys accruing to the Institute from whatever source derived.

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

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PART I: SEC (1)-GAZETTE EXTRAORDINARY OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA - 1996.02.09

18. It shall be the duty of the Director -

- (a) to keep the accounts of the Institute in such form and manner as may be specified by the Commission;
- (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 triennial 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 in the office of the Institute.

20. Where there is any doubt as to whether any person has been duly elected, appointed, nominated or co-opted, or as to whether any person is entitled to be a member of any Authority or other body of the Institute, such matter shall be referred to the Commission, whose decision thereon shall be final.

21. Where no provision has been made under this Ordinance in respect of any matter relating to the Institute, the relevant provisions of the Act shall Mutatis Mutandis apply to and in relation to such matters.

22. In this Ordinance -

"Appropriate Instrument" means any Order, Ordinance, By-law, Regulation or Rule made in accordance with the provisions of the Act;

"Commission" means the University Grants Commission established by the Act;

"Speciality in Science" means Chemical Sciences, Earth Sciences, Environmental Science, Plant Sciences, Zoological Sciences, Biochemistry and Molecular Biology, Physics, Mathematics, Science Education, Statistics and Computer Science, or any other speciality approved by the Commission upon the recommendation of the Institute and the University.