

on 22nd May 2006

The Universities Act. 16 of 1978

By – Laws relating to students' Discipline

PART I – GENERAL

01. These By – laws may be cited as the By – laws. No. 01 of 2006 relating to Students Discipline and shall come into operation on 01.05.2006. These By laws supersede any other By – laws or regulations that may have been issued to students earlier.

02. Notwithstanding anything to the contrary in any of the provisions of these By – laws the Vice Chancellor shall take appropriate action he/she deems necessary to maintain discipline at the University and nothing in these By-laws shall be construed in a manner to detract from the powers duties and functions conferred on or imposed upon the Vice Chancellor by the Universities Act. No. 16 of 1978 [hereinafter referred to as "Act"] or by any other instrument.

03. 1. Upon the coming to operation of these By-laws there shall be established a Board of Discipline [hereinafter referred to as the "Board"] constituted as provided in Sub-paragraph. (2)

- 2. The Board of discipline shall consist of the following Members who shall hold office for a period of 03 (three) years with effect from the date of appointment.
 - (i) The Dean of each Faculty;
 - (ii) A Proctor if any or a Deputy proctor nominated by the Proctor;
 - (iii) Two Wardens if any nominated by the Vice Chancellor;
 - (iv) Two members of the Council nominated by the Council among its appointed members;
 - (v) Two senior student Councillor's nominated by the Vice Chancellor;

3. The registrar or his nominee shall be the ex-officio Secretary of the Board.

4. The Chairman of the Board shall be elected by the members from among the Deans and he/she shall preside at all meetings of the Board. If the Chairman is unable to preside at a meeting the members shall elect any Dean to preside at such meeting.

5. The Chairman shall hold office for a period of one year reckoned from the date of his election so long as he/she retains the status of membership by virtue of which he/she was eligible for election as the Chairman of the Board. he/she is eligible for re-election.

6. The quorum for the meeting of the Board shall be seven members.

04. Subject to the provisions of the Act. And any other appropriate instruments the Board shall have the following powers duties and functions:-

- (I) To regulate and determine all matters concerning the maintenance of students discipline within University;
- (II) To make Rules pertaining to student discipline within the University;

- (III) To hold inquiries or cause inquiries to be held pertaining to allegations of indiscipline or misconduct on the part of any student or students of the University.
- (IV) The Vice Chancellor may appoint a **Committee of Inquiry** to inquire into an incident where he/she thinks it appropriate in the circumstances and the Board of Discipline shall consider such reports made by such Committee and recommended appropriate action.
- (V) To impose appropriate penalties or punishments on any student or students who have been found guilty of any acts of indiscipline or misconduct or who have been found guilty of an offence under these By-laws or of acting in contravention of the provisions of these By-laws or the rules made by the Board.
- (VI) To do all such other acts incidental to the powers aforesaid, as may be required in order to further the objectives of these By-laws.

PART II

05. Without prejudice to the generality of the powers, duties and functions conferred upon or imposed on the Council by the Act or any other Instruments, the Council shall be responsible for the administration and implementation of these By-laws.

06. (1) These By-laws shall apply to every Registered Student of Rajarata University of Sri Lanka [hereinafter referred to as the "University"]
- (2) (a) For the purpose of By-laws "Registered students" means any student who had already been duly admitted and registered at the University for any academic year or any student who is duly admitted and registered from time to time in respect of any Academic year or other period of study.
 - (b) "Academic Year" for the purpose of these By-laws shall be constructed to mean the academic year as decided by the Senate from time to time.
 - (3) (a) Every student of the University shall be of good behaviour and shall at all the time conducts himself/herself an orderly manner be fitting the status of an undergraduate or graduate student.
 - (b) Students of the University shall at all the times endeavour to safeguard the dignity, good name and reputation of the University.

07. Students are admitted and registered as undergraduate or graduate students of the University, subject to their good behaviour and observance of strict discipline.

08. Each and every student duly registered as a student of the University, shall be issued with a copy these By-laws, the provisions of which will be binding on him/her in conformity with the declaration made by him/her in terms of Section 15 of the application for University admission submitted by him/her to the University Grant Commission.
09. Upon the receipt of an application on the prescribed form for registration as a student of the University together with such documents as may be necessary for this purpose the Registrar or such other officer as may be nominated by him/her for this purpose shall register such student and shall issue the student so registered an Identity Card and a Students' Record Book bearing the photograph of the student concerned duly embossed with the seal of the University which shall be final and conclusive evidence pertaining to the identity of the student and also to the accuracy of the particulars stated therein.
10. Every registered student of the University shall have in his/her possession either such Identity Card or Students' Record Book which he/she shall produce when called upon to do by member of the academic staff or by any other officer authorized by the Vice Chancellor or Registrar for this purpose.
11. If any registered student shall fail to produce or wilfully refuses to produce or neglects to produce such Identity card or Students' Record Book when called upon to do so by an authorized officer of the University. Such student shall be deemed to be guilty of an offence punishable under these By-laws.
12. In the event of the failure or the refusal to produce such Identity Card or Students' Record Book to any member of the academic staff or an authorized officer. Such officer shall have the power to take such student to custody and to produce him/her before the Dean of the respective Faculty or warden of the respective Hall of the Residence of such student if he/she claims to be residing in a hall of Residence for identification. In the event of such student not being a resident of Hall of Residence for such student may be produce before the chief security officer who shall report him to the proctor for appropriate action.
13. The particulars stated in the Identity Card or Students Record Book shall be deemed to contain prima facie evidence of the status of the student and shall be in the manner prescribed in schedule I of these By-laws.
14. (1) The Dean of each Faculty of the University shall have full power and Authority to exercise supervisory control over the discipline of all students within the faculty.
- (2) The Vice Chancellor may appoint a senior academic member as the Proctor of the University and he/she shall act on behalf of the Vice Chancellor in matters of student discipline within the University. The Vice Chancellor may delegate any of his powers duties regarding student discipline within the University to the Proctor.

- (3) The Vice Chancellor may in consultation with the /dean and the Proctor appoint a member of the academic staff of each Faculty as the Deputy Proctor for such Faculty. The first Deputy Proctor may be appointed by the Vice Chancellor in consultation with the Dean of the respective Faculty.
- (4) ~~A Deputy Proctor shall assist the Dean~~ and the Proctor in matters of student discipline within the Faculty.
- (5) A Deputy Proctor shall also assist the Proctor in his/her functions as Proctor in matters of student discipline within the University.
15. For the purpose of exercising the powers conferred upon the Dean by the preceding paragraph the Dean may issue from time to time instruction as he/she deems necessary for the maintenance of discipline in such Faculty.
16. Where the Dean of a Faculty of the University is satisfied that there is a likelihood of the breakdown of the smooth functioning of his/her Faculty due to the disorderly behaviour or conduct on the part of a student or students. The Dean may take immediate remedial measures with the assistance of the Proctor and his/her Deputies to prevent a breakdown of the functioning of the Faculty by-
- (i) Reprimanding such student(s) for disorderly behaviour.
 - or
 - (ii) Suspension of such student or students from the University or from attending lectures/courses and etc. For a period not exceeding two weeks.
 - (iii) Reporting to the Vice Chancellor for action of such behaviour of a student or students where a Dean is of the opinion that the incident is of such nature that it require the intervention of the University authorities for appropriate action under the By-laws of the University.
17. The Dean shall report to the Vice Chancellor and the Proctor any disciplinary action taken by the Dean under these By-laws.
18. Upon the coming into operation of these By-laws the University shall have full power and authority to consider and assess the conduct of each student in determining the eligibility of such student for the conferment on him/her of the degree, diploma certificate or other academic distinctions.
19. Every Registered student shall be bound to protect and safeguard the property of the University "Property" for this purpose includes buildings, libraries, lecture halls, furniture, equipment and all other movable and immovable assets of the University.

20. If in the event of any student being found guilty of damaging or destroying or attempting to damage or destroy the property of the University. He/she shall be deemed to have committed an offence and shall be dealt with in accordance with the provisions of these By-laws.
21. Every student shall endeavour to foster a corporate and community spirit of life and shall always respect the liberty, freedom and personality of fellow students.
22. No student shall engage in anti-social actions or in any act calculated to humiliate, ridicule, hurt or harass a fellow student or any other person within the University or engage in any other anti social conduct which may bring the University to disrepute.
23. No student shall incite provoke or aid and abet any other student in the commission of any if the acts specified herein before.
24. Any student who acts in violence of paragraph 6(3) (a) & (b) 21 to 24 of these By-laws shall be guilty of an offence punishable under the provisions of these By-laws.
25.
 - (1) No meeting may be held within the University premises by any student or students, University Union or society or other association of students of the University except with the written approval of the Vice Chancellor/ Proctor the Dean of the Faculty, may permit the holding of a meeting of the Faculty students, Faculty Unit or society where it is restricted to the students of such Faculty.
 - (2) Where the approval of the Vice Chancellor/Dean/Proctor as the case may be has been so granted subject to such terms and conditions relating to the venue and date of such meeting and its duration an any other matter as may be deemed to be necessary in the circumstances. The meeting must be held in conformity with all such terms and conditions.
 - (3) Any student who summons or causes the holding of a meeting other than in the manner prescribed in the foregoing paragraph or aids and abets any other person to summon or hold such meeting shall be guilty of an offence and shall be liable for punishment under the provisions of these By-laws.
 - (4)
 - (a) Unless the prior written consent of the Vice Chancellor has been obtained, no subscription or currency may be collected among the students, staff of the University or the general public by any union, society or association.
 - (b) Provided, however, that the provision of this paragraph shall not apply to a subscription collected by a registered union, society or association on accordance with its Constitution or any By-laws made in terms of section 115 (2) of the Act.

26. (1) No notice, pamphlet, publication or other printed material detrimental to the good name and discipline of the University. Words or defamatory of any member of the staff or student of the University may be published and/or distributed, circulated or exhibited in any Hall of Residence, Lecture Hall/Room, Laboratory or on any other building or any other property standing on the premises of the University within its territorial boundaries.

Provided however that the provision of this paragraph shall not apply to notice, pamphlets, publications and printed material relating to the activities of any registered Students' Union, Society or other Association established and recognized under section 115 of the Act and intended solely for the furthering of academic or social objectives.

Provided that such material shall not be detrimental to the good name and discipline of the University or any member of the staff or student of the University.

- (2) Any note, pamphlet, bulletin published should contain the signature of the President or the Secretary of such Organization.

27. The Board of Discipline may for any breach of these By-laws or for any offence punishable under the provisions of these By-laws by any registered student recommended to the Vice Chancellor the imposing on him/her or anyone or more of the following punishments:-

- (i) A written warning or a severe reprimand;
- (ii) Suspension from the University;
- (iii) Withdrawal of residential facilities and accommodation;
- (iv) Withdrawal, cancellation or suspension of any financial benefits, assistance or award under the Mahapola Scholarship Scheme, any Bursary Scheme of endowed scholarship Scheme;
- (v) Disqualification from sitting any University Examination for a specific period;
- (vi) Suspension of the release of the results of any University Examination for a specific period.
- (vii) Expulsion from the University;

28. (1) The Board of Discipline or any Committee of Inquiry appointed by the Board or the Vice Chancellor for purposes set out in paragraph 4(iii) or 4(iv) shall have the power to summon any student of the University to attend any inquiry or to give evidence there at and to direct any student to make a written statement concerning any matter pertaining to his conduct or behaviour or to the conduct of any other student within the University.

- (2) Such Committee of Inquiry shall conduct inquiries in accordance with the rules of natural justice as far as possible.

- (3) Before the commencement of such inquiry, every accused student shall be informed of the charge or charges against him/her to be tried at the inquiry before the Committee of Inquiry.
 - (4) An accused student shall be allowed to be present either in person or with a representative of the Rajarata University of Sri Lanka Student's Union or the respective Faculty Students' Union at the inquiry and may also be allowed to suggest to the Chairman of the Committee of Inquiry any questions that may be put to any person who testifies before the Committee of Inquiry.
 - (5) The Chairman of the Committee of Inquiry may at his/her discretion put to her witness such questions suggested by or on behalf of the accused student.
 - (6) Under exceptional circumstances the Chairman of the Committee of Inquiry may allow the witness to give evidence recorded in camera.
- 29.
- (1) Upon the declaration of an order of closure of the University by the University authorities every student of the University shall be bound to act in accordance with this Order and shall leave the university premises before the stipulated time specified in such Order.
 - (2) Any student who acts in contravention of the provisions of the foregoing paragraph shall be deemed to have committed an offence and shall be liable to be punished in accordance with the provisions of these By-laws.
- 30.
- (1) Any student on whom a punishment has been imposed by the Vice-Chancellor on the recommendation of the Board of Discipline and who is aggrieved by the decision of the Board regarding the punishment may within a period of one month from the date of communication to him/her of such punishment or penalty, appeal against such punishment or penalty to the Vice-Chancellor.
 - (2) Upon the receipt of an appeal, the Vice-Chancellor shall refer such appeal to an Appeals Committee appointed by him/her.
 - (3) ~~The~~ **The Appeals Committee**, for the purpose of the above paragraph, shall consist of three persons of legal/academic eminence appointed by the Vice-Chancellor.

The Appeals Committee shall have the power to review the decision of the Board of Discipline regarding the punishment imposed and may either affirm, vary or set aside the decision regarding the punishment;

31. (1) It would be the duty of a Warden of a Hall of Residence to impose discipline among the student of the Hall of Residence and act in consultation with the Proctor regarding matters pertaining to student discipline in the Hall of Residence.

(2) A Warden of a Hall of Residence shall inquire into complaints of breach of discipline and take appropriate action by himself/herself where the act of indiscipline is not of a serious nature and may impose any of the following punishments;

(i) Suspension from the Hall of Residence for a period not exceeding two weeks;

(ii) A written warning

(3) In every case in which a warden acts under the above provisions, he/she shall submit a report to the Proctor and shall act in consultation with the Proctor. Where the Proctor is of the view that the breach of discipline is of such nature that it calls for his intervention he may act in the manner laid down in these By-laws.

(4) Any student who is aggrieved by the punishment imposed by a Warden shall have the right to appeal to the Vice Chancellor forthwith and the Vice Chancellor instructs the Proctor to conduct a formal inquiry where he considers desirable depending on the nature of the incident.

32. (1) The Dean of a Faculty shall impose discipline among the students of the Faculty and shall act in consultation with the Proctor and Deputy Proctor of the Faculty regarding matters pertaining to student discipline in his Faculty.

(2) The Dean of a Faculty shall inquire into complaints of breach discipline and take appropriate action by himself/herself where the act of indiscipline is of such a nature that it could be adequately dealt with by imposing any of the following punishment:

(i) Suspension from academic activities for a period not exceeding two weeks.

(ii) A written warning

(3) In every case in which a Dean acts under the above provisions he/she shall submit a report to the Proctor.

(4) An student who is aggrieved by the punishments imposed by a Dean of a Faculty shall have the right to appeal to the Vice Chancellor who may review the punishment and/or order the conduct of a formal inquiry where he/she considers it desirable, depending on the nature of the incident.

- 33.
- (1) Subject to the provisions of the Universities Act and other Status of the University, ~~the~~ Proctor shall be the authority in charge of the maintenance of discipline among the students of the University.
 - (2) In discharging the above duties, he/she shall act in consultation with the Vice Chancellor and with the assistance of the Deputy Proctor..
 - (3) The Proctor shall inquire into complaints of breach of discipline in the University and take appropriate action
 - (4) Where the incident of indiscipline is of such a nature that it can be adequately dealt with by the imposition of the following punishments, he/she may act by himself/herself;
 - (i) ~~Suspension from the University~~ for a period not exceeding five (5) weeks:
 - (ii) ~~A written warning~~
 - (5) In every case in which the Proctor act under these provisions, he/she shall submit a report to the Vice Chancellor.
 - (6) Any student, who is aggrieved by the punishment impose by the Proctor, shall have the right to appeal to the Vice Chancellor forthwith and the Vice Chancellor may review the punishment and/or order a formal inquiry where he/she considers it desirable.
 - (7) In cases in which incidents of indiscipline are reported, the Proctor shall conduct a preliminary inquiry and submit his observations to the Vice Chancellor for appropriate action under these By-laws.
- 34.
- (1) A Deputy Proctor of a Faculty shall assist the Dean of the Faculty to maintain and impose discipline among students of the Faculty and shall report to the Dean regarding such matters.
 - (2) A Deputy Proctor shall also assist the Proctor in the Maintenance of discipline among the students of the University.