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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D. – B 21/78 (XVIII).

THE UNIVERSITIES ACT, No. 16 OF 1978

ORDINANCE made by the University Grants Commission under Section 48A of the Universities Act, No. 16 of 1978 read with Section 18 of the said Act.

Secretary,
University Grants Commission.

Colombo,
17th December, 2020.

Ordinance

1. This Ordinance may be cited as the Faculty of Graduate Studies Ordinance No. 05 of 2020 and shall come into force on 17th December, 2020 and shall apply to all Faculties of Graduate Studies established under Section 48 A (1) of the Act.

2. Subject to the provisions of the Act and any appropriate instrument, a Faculty of Graduate Studies (hereinafter referred to as “the Faculty”) established under Section 48A (1) of the Act shall be the administrative centre for promoting research and providing courses of study leading to higher degrees, and other academic distinctions in any branch of learning as may be agreed upon by the respective University and the Commission.



3. The Faculty shall promote, co-ordinate and regulate postgraduate studies and specialized or multi-disciplinary research carried out within the University and, subject to the direction and control of the Senate of the respective University, shall have the power to –

- (a) specify requirements for postgraduate admission, course requirements, course contents and schemes of examination, and to admit students other than those admitted to Postgraduate Institutes affiliated to universities for postgraduate studies;
- (b) identify and introduce, after the approval of the Commission, new postgraduate degree programmes based on the demand and the stakeholder feedback;
- (c) establish and regulate, standards in respect of quality in postgraduate teaching and research in the University;
- (d) assist the students to prepare competitive research proposals and conduct pure or applied and interdisciplinary research addressing regional, national and international issues;
- (e) encourage the students to comply with research ethics and facilitate them obtaining ethical clearance, if necessary;
- (f) promote inventions and innovations through outstanding research;
- (g) recommend persons for appointment as supervisors, co-supervisors, and other resource persons as required for the conduct of research degrees;
- (h) recommend persons for appointment as visiting lecturers, examiners and coordinators;
- (i) recommend students for the award of higher degrees and other academic distinctions;
- (j) promote inter-faculty, intra-faculty and inter-University collaboration in postgraduate teaching and research;
- (k) facilitate the students to develop necessary skills through conducting research, presenting the findings of such research in the Conferences or Symposia and publishing them in proceedings or journals;
- (l) encourage scholars to undertake research and provide necessary facilities for such research and for the dissemination of knowledge; and
- (m) establish and maintain links with other graduate faculties and schools, research Institutions, Universities and industry, both in Sri Lanka and abroad.

4. (1) There shall be a Dean of the Faculty who shall be a full-time officer of the University and the academic and administrative Head of the Faculty.

(2) The first Dean of the Faculty shall be appointed by the Commission. Every subsequent Dean of the Faculty shall be appointed by the Council from a panel of three names recommended to the Council by the Board of Graduate Studies from among an Associate Professor, Professor and Senior Professor of the University.

(3) The Dean of the Faculty shall hold office for a period of three years from the date of his appointment and shall unless removed from office, –

- (a) in the case of the first Dean of the Faculty, by the Commission on a vote of censure passed by not less than two thirds of the total membership of the Commission; and
- (b) in the case of every subsequent Dean of the Faculty, by the Council on a vote of censure passed by not less than two thirds of the total membership of the Council, at a special meeting convened for the purpose unless removed earlier;

be eligible for re-appointment.

(4) A person appointed as the Dean of the Faculty shall, on appointment, cease to hold office as Head of Department, or Dean of a Faculty of the University, as the case may be, if he holds such office at the time of appointment as Dean of the Faculty.

(5) If the Dean of the Faculty by reason of illness, absence from Sri Lanka or other cause, is temporarily unable to perform the duties of his office, the Council shall make arrangements as it may think fit for carrying on the duties of the office of Dean of the Faculty.

(6) On retirement or resignation of the Dean of the Faculty or in the case of his inability to perform the duties of his office for a period exceeding three months, the post of Dean shall be deemed to be vacant and a new Dean shall be appointed in accordance with the provisions of sub-ordinance (2).

(7) The Dean of the Faculty 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 a Director, revert to his substantive post in such Higher Educational Institution, if he has not reached his age of retirement in his substantive position.

5. The Faculty of Graduate studies shall have a Board of Graduate Studies (hereinafter referred to as the "Board") consisting of -

(1) the following ex-officio members:-

- (a) The Dean of the Faculty of Graduate Studies who shall be the Chairman;
- (b) Chairpersons of Boards of Study;
- (c) Deans of all Faculties of the University;

(2) The following nominated members:-

- (a) Two members nominated by the Council of the University from among the appointed members of the Council as specified in section 44(1)(vii) of the Act;
- (b) Two members, not being members of the staff of the University, nominated by the Senate of the University, from among persons of eminence in the areas of study relating to the Faculty of Graduate Studies;
- (c) One member nominated by the Council with the concurrence of the Commission from among teachers at postgraduate level in the Boards of Study of the Faculty.

(3) Each nominated member of the Board shall, unless he vacates office earlier hold office for a term of three years from the date of his nomination and shall be eligible for re-nomination.

(4) The most senior Administrative Officer of the Faculty of Graduate studies shall serve as the Secretary to the Board.

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

(6) The Board may co-opt one or more than one person for a specific purpose and for a specified period to the Board, so however any person so co-opted shall not have the right to vote at any meeting of the Board.

(7) Any member of the Board may resign his office by writing under his hand addressed to the Dean of the Faculty.

(8) Any nominated member of the Board absents himself for three consecutive meetings of the Board shall be deemed to have vacated his office and, subject to the provisions of sub-ordinance (2) any other person shall be appointed to fill such vacancy.

(9) In the event of a vacancy of the Board due to the expiration of the term of a member, resignation, removal or any other cause, his successor shall hold office for the unexpired portion of the term of office of his predecessor.

(10) The Chairman shall preside at all meetings of the Board. In the absence of the Chairman from any meeting, the members present shall elect among themselves, a Chairman to preside at such meeting.

(11) The Board shall meet whenever necessary, so however it shall meet not less than ten occasions in each year.

6. (1) Subject to the provisions of the Act and any appropriate instrument, and subject to the direction of the Senate, the Board shall have control and general direction of instruction, education, research, examinations, Industry-Faculty partnerships, Faculty-Community Interactions and dissemination of knowledge.

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

- (a) to regulate and determine all matters concerning the Faculty;
- (b) to administer any funds placed at the disposal of the Faculty for specific purposes;
- (c) to prepare the financial estimates of the Faculty and submit them to the University;
- (d) to recommend to the University, the postgraduate degrees and other academic distinctions which shall be awarded in the several disciplines within the Faculty and the course 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 and other academic distinctions;
- (e) to recommend to the Senate, persons suitable for appointment as teachers and examiners, and the nature and composition of Boards of examiners;
- (f) to make rules for any matter in respect of which rules are authorized to be made;
- (g) to recommend to the Senate and the Council, schemes of re-organization of existing disciplines of study in a Faculty;
- (h) to determine, subject to the general direction and control of the Senate, the requirements for admission or registration of students to a Faculty;
- (i) to recommend to the Senate, the names of persons suitable for the award and grant of postgraduate degrees, and other academic distinctions;
- (j) to appoint an Academic Consultative Committee, and such number of sub-committees as it may deem fit;
- (k) to establish units within the Faculty to expand their activities, if necessary; and
- (l) to recommend to the Senate, in respect of the Syllabuses, courses of study, teaching and research in any branch of learning, and facilities for inter-disciplinary studies and inter-faculty and inter-university and industry collaboration in postgraduate teaching and research.

7. (1) The Faculty shall have such number of Boards of Study as may be agreed upon by the University and the Commission, from time to time.

(2) Each Board of Study may include the following persons as members:-

- (a) Senior Professors or Professors of relevant disciplines of the University;
- (b) Heads of Relevant departments offering the postgraduate taught or Research programmes;

- (c) Coordinators of postgraduate programs of the University;
- (d) A nominee from outside the University who shall be an eminent scholar appointed by the Senate on the recommendation of the chairperson of the Board of Study,

for a period of three years reckoned from the date of such appointment. Such member shall be eligible for re-appointment.

(3) Each Board of Study shall have a Chairperson appointed by the Board of Graduate Studies from among Senior Professors and Professors. However, in exceptional circumstances, on the recommendation of the Dean of the Faculty the Board of Graduate Studies may on a unanimous decision appoint a person other than a Senior Professor or Professor as Chairperson.

(4) A Chairperson of the Board of Study shall hold office for a period of three years from the date of such appointment and shall be eligible for re-appointment.

8. The powers, duties and functions of each Board of study shall be as follows:-

- (a) to consider and report on any matter referred to it by the Board of Graduate Studies;
- (b) to present to the Board of Graduate Studies, recommendations and reports on all matters connected with the courses of study, teaching programmes and examinations of that Board of Study;
- (c) to appoint committees, for the purpose of considering and reporting on any special subject;
- (d) to recommend to the Board of Graduate Studies, the requirements for the admission of students to courses of study and examinations;
- (e) to recommend to the Board of Graduate Studies, persons suitable for recognition as teachers and examiners;
- (f) to recommend to the Board of Graduate Studies, the names of persons suitable for the award of fellowships, scholarships, exhibitions, bursaries, medals and other prizes;
- (g) to recommend to the Board of Graduate Studies, with the concurrence of the University Grants Commission, the schemes for re-organizing of existing Boards of Study and if necessary, the establishment of new Boards of Study; and
- (h) to recommend to the Board of Graduate Studies, persons who having passed the prescribed examinations, and having satisfied other prescribed conditions, are eligible for the award of Postgraduate degrees and other academic distinctions.

9. The Faculty shall have an Ethics Committee appointed by the Senate. The committee has a Terms of Reference and Standard Operational Procedure approved by the Senate of the University. The main functions of such Committee shall be -

- (a) to encourage the postgraduate students to learn and practice research ethics, through conducting seminars, workshops and online learning exercises or programmes;
- (b) to evaluate the applications received by the Ethics Committee and issue ethical clearance in keeping with the rules and regulations stipulated by the Ethics Committee;
- (c) to ensure that ethical principles are followed by research students in conducting research and publishing or presenting the findings of research.

10. The Teaching staff of the Faculty shall be appointed as follows:-

- (a) From among teaching Staff of the University holding the position of Senior Lecturer Grade II and above with required research experience and outstanding academic achievements shall be appointed by the Council for a period as specified by the Board of Graduate Studies;

- (b) From among the Visiting Professors from outside the University for any period not exceeding twenty four months subject to the availability of funds or grants;
- (c) From among the Guest lecturers who may not have formal academic qualifications but may otherwise be eminently qualified to hold a teaching position due to the practical training and experience they possess.

11. The financial year of the Faculty shall be the Calendar year.

12. Each programme of study shall be on a Budget prepared based on the guidelines issued by the University Grants Commission and approved by the Council.

13. The Faculty shall prepare an annual statement of accounts and statistics relating to its activities in such form and manner and containing such particulars as the University may, from time to time, specify.

14. In this Ordinance-

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

“Appropriate Instrument” means any Order, Ordinance, by-Law or Rule made in accordance with the Universities Act, No.16 of 1978;

“Board of Graduate studies” means the Board of the Faculty of Graduate studies;

“Commission” means the University Grants Commission established under the Universities Act, No.16 of 1978;

“Council” means the Council of the University in which the Faculty of Graduate Studies is established;

“Higher Educational Institution” shall have the same meaning as assigned to it in the Act;

“The Dean of the Faculty” means the Dean of the Faculty of Graduate studies;

“Other Deans” means the Deans of Faculties other than the Faculty of Graduate Studies of the University;

“University” means the University within which the Faculty of Graduate Studies is established.

15. Ordinance No. 3 of 1987 published in *Gazette Extraordinary* No.473/9 of September 30, 1987 is hereby rescinded without prejudice to anything previously done under the said Ordinance.